

MINUTES OF THE ANNUAL MEETING
OF
THE NEBRASKA JUDICIAL RESOURCES COMMISSION
December 10, 2019

The annual public hearing of the Nebraska Judicial Resources Commission was held on the 10th day of December, 2019, in Room 1510, State Capitol Building, in Lincoln, Nebraska. Justice Stacy Chaired the annual public hearing and called the meeting to order at the hour of 1 p.m.

Roll call by the acting Secretary:

PRESENT

Justice Stephanie Stacy, Chairperson
Judge Matthew Kahler
Judge Anne Paine
Judge John Samson
Charles Conrad
William Dittrick
Timothy Engler
Michael McCarthy
Robert Parker
Lori Scherer
Robert Slovek
Darlene Starman
Jacqueline Tessendorf

ABSENT

Stephen Bader
Christopher Nielsen
Brian Phares

The Chair confirmed that all Commission members had received and reviewed the minutes from the last meeting on September 25, 2019. It was moved by Timothy Engler and seconded by Charles Conrad that the minutes be accepted. Voting yes, all present. Minutes of September 25, 2019 were accepted.

The following exhibits were examined and considered by the Commission during either the Annual Meeting portion of the agenda, or when considering specific judicial vacancies also on the agenda:

1. Agenda
2. Minutes 9-25-19 with attachments
3. Thorson retirement letter 9-25-19
4. Separate Juvenile Court Weighted Caseload study
5. Copy of Neb. Rev. Stat. § 43-246
6. Memo: Lancaster County Juvenile Court Statistics
7. Data on Family Treatment Drug Court (FTDC)
8. 2019 FTDC Stakeholders' Report

9. Letter from NSBA re Separate Juvenile Court, Lancaster County
10. Email and article from Judge Reggie Ryder
11. Letter from Legal Aid
12. Letter from Judge Linda Porter
13. Letter from Lancaster County Attorney Patrick Condon
14. Samuelson retirement letter 9-3-19
15. County Court Weighted Caseload Study
16. Letter from NSBA re County Court, 6th Judicial District
17. Letter from Dodge County Bar Association
18. Letter from David Drew
19. Letter from Stuart Mills
20. Letter from Judge Luebe

All exhibits listed above are attached to these minutes (except the annual caseload reports and weighted caseload reports which are available on the Supreme Court's website).

ANNUAL MEETING AGENDA: The Commission reviewed current caseload and weighted caseload reports, and examined historical data showing caseload trends at the statewide, district, and county levels. The Commission also reviewed current and historical data regarding changes in judicial need at the statewide and district levels. The Commission was updated on the status of the new judicial time study being conducted by the National Center for State Courts, and the anticipated release date of the final report that will establish new weights to be used in preparing weighted caseload reports. The Commission also examined data regarding the expansion of problem solving courts, the increased need for interpreters, and population changes that impact judicial resources. The PowerPoint presentation reflecting all of this data is attached to these minutes.

The Commission heard reports and testimony from the following individuals concerning the allocation of judicial resources and access to the courts: Corey Steel, Nebraska State Court Administrator, and Tim Hruza on behalf of the Nebraska State Bar Association.

After considering the issues set out in Neb. Rev. Stat. § 24-1205, the Commission had no changes to recommend this year.

JUDICIAL RETIREMENT IN SEPARATE JUVENILE COURT: The Commission next considered whether a judicial vacancy exists in the office of the Separate Juvenile Court for Lancaster County as a result of the retirement of Judge Toni G. Thorson, effective

October 16, 2019. Testimony was offered in support of declaring the vacancy by: Judge Roger Heideman; Laurel Johnson; Linsey Camplin; Abby Osborn; Jennifer Houlden; Christopher Turner; Liz Neeley. Testimony was offered by Corey Steel recommending the matter be laid over for a period of 4 months, pending completion of the new weighted caseload report. There was no testimony offered in opposition to declaring a vacancy.

It was moved by Timothy Engler and seconded by Robert Parker that a vacancy be declared in the office of Separate Juvenile Court of Lancaster County. While the main motion was being discussed, it was moved by William Dittrick, and seconded by Mike McCarthy, that the motion to declare a vacancy be laid over to April 10, 2020. After discussion of the motion to lay the matter over, the motion was voted on, and it failed. Discussion then continued on the main motion to declare a vacancy. Voting yes, all present. Motion carried.

JUDICIAL RETIREMENT IN COUNTY COURT 6th JUDICIAL DISTRICT: The Commission considered whether a judicial vacancy exists in the County Court of the 6th Judicial District as a result of the retirement of Judge Matt Samuelson, effective October 31, 2019. Testimony was offered in support of declaring the vacancy by the Liz Neeley, Nebraska State Bar Association. Judge Samson added that the Burt/Washington County Judge had a workload number of .88 and that by adding 1 day a week in Dodge County, the number would increase to approximately 1.08 and reduce the Dodge County Judge workload number to approximately 1.06. There was no testimony offered in opposition to the vacancy.

It was moved by Anne Paine and seconded by Lori Scherer that the vacancy in the office of County Court of the 6th Judicial District be filled with its primary office to be in Blair, Washington County, Nebraska, and the understanding that the judge would be expected to assist one day per week in Fremont, Dodge County, Nebraska. Voting yes, all present. Motion carried.

OTHER MATTERS:

1. The Commission discussed a draft resolution regarding the commendable service of Judge Robert O'Neal. It was moved by the Chair and seconded by William Dittrick that the resolution be adopted. Voting yes, all present. Resolution was unanimously adopted, and will be delivered to Judge O'Neal.

2. Jennifer Rassmussen, Deputy Administrator of Information Technology for the Administrative Office of the Courts and

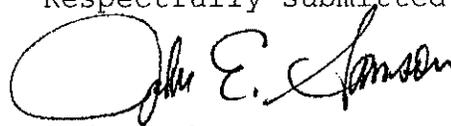
Probation, updated the Commission on her investigation of the videoconferencing problems the JRC has been experiencing since videoconferencing support was moved from NET to OCIO. Jennifer explained that the move from NET to OCIO was not something over which the Judicial Branch has control. Historically, and currently, videoconferencing sites were primarily limited to vocational rehabilitation sites across the state. Those sites are still available and have the necessary videoconferencing equipment, but the sites are often insufficiently staffed and cannot troubleshoot problems that arise during a public hearing. She is aware of the serious problems these chronic technology failures have had on the JRC and its commissioners, and she is exploring whether the videoconferencing sites could be moved to sites managed by the Judicial Branch, such as probation reporting centers or courtrooms equipped with webex. Work on this alternative will continue, and hopefully something can be in place for the JRC's first quarterly meeting in 2020.

3. The Chair reported that a subcommittee of the JRC has been diligently working on proposed revisions and updates to the JRC Rules. A preliminary draft has been developed, and it is expected that a final draft will be circulated for discussion at the first quarterly meeting of the JRC in 2020.

4. The quarterly meeting schedule worked well in 2019, and it was agreed a similar schedule should be followed in 2020. A quarterly schedule may not eliminate the need for additional meeting under extraordinary circumstances, but it improved the predictability of JRC meetings, and enabled more commissioners to participate. Quarterly meeting dates for 2020 will be finalized over the next several weeks, and Commissioners will be notified of the dates and times.

There being no other matters brought before the Commission, the Chair asked whether there was any objection to adjourning. There being none, the meeting was adjourned.

Respectfully submitted:

A handwritten signature in black ink, appearing to read "John E. Samson". The signature is written in a cursive style with a large, looped initial "J".

Judge John Samson
Secretary

**ANNUAL MEETING AGENDA
JUDICIAL RESOURCES COMMISSION**

**DECEMBER 10, 2019 - 1 p.m., central time
ROOM 1510, STATE CAPITOL BUILDING
LINCOLN, NEBRASKA**

- I. Roll call of members by secretary
- II. Approve minutes of last meeting
- III. Review of Annual Caseload and Weighted Caseload Reports
 - (a) Overview of current reports
 - (b) Explore trends in case filings, population and judicial turnover
 - (c) State wide view of judicial resources
 - (d) Follow-up on last year's recommendation to update judicial time study
- IV. Reports from the Bench
 - (a) Chief Justice
 - (b) State Court Administrator
 - (c) Trial Judges
- V. Reports from the Bar
 - (a) Nebraska State Bar Association
- VI. Reports from the Public
- VII. Annual Meeting topics under Neb. Rev. Stat. § 24-1205
 - (a) Whether a new judgeship is appropriate in any judicial district
 - (b) Whether a reduction in judgeships is appropriate in any judicial district
 - (c) Whether the judicial district boundaries or the number of judicial districts should be changed for the district or county courts
 - (d) Whether, after examining current caseload statistics, the JRC has any recommendations for the more balanced use of existing judicial resources.
- VIII. Due to the retirement of Judge Toni G. Thorson, effective October 16, 2019, the Commission will determine, pursuant to Neb. Rev. Stat. § 24-1204 and § 24-1206,

whether a judicial vacancy exists in the office of the Separate Juvenile Court of Lancaster County.

IX. Due to the retirement of Judge Matt Samuelson, effective October 31, 2019, whether a judicial vacancy exists in the office of the County Court, 6th Judicial District, and if so to make a recommendation to the Supreme Court as to the primary place of office of said vacancy.

X. Other business

(a) Report on videoconferencing options

(b) Report on JRC Rules update

(c) Resolution regarding JRC service of Judge O'Neal

X. Adjourn

MINUTES OF THE MEETING
OF
THE NEBRASKA JUDICIAL RESOURCES COMMISSION
September 25, 2019

A public meeting of the Nebraska Judicial Resources Commission was held on the 25th day of September, 2019, in Room 1510, State Capitol Building, in Lincoln, Nebraska, with Commission members attending by telephonic conference as provided by law.

The Chair called the meeting to order in Room 1510 at the hour of 1 p.m. Roll call by the Chair:

PRESENT

Justice Stephanie Stacy, Chair
Judge Robert O'Neal
Judge Anne Paine
Judge John Samson
Charles Conrad
Michael McCarthy
Robert Parker
Lori Scherer
Darlene Starman¹
Robert Slovek
Jacqueline Tessoroff

ABSENT

Stephen Bader
William Dittrick
Timothy Engler
Christopher Nielsen
Brian Phares

The Chair identified and received into the record Exhibits 1 through 6.

The Chair called for acceptance of the minutes of the meeting of September 10, 2019. All present voting yes, the minutes were accepted.

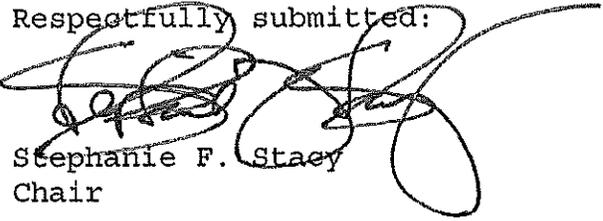
The Chair announced that the purpose of the hearing was to determine whether a judicial vacancy exists in the office of the Separate Juvenile Court for Douglas County as a result of the resignation of Judge Elizabeth G. Crnkovich, effective September 11, 2019. Testimony was offered in support of declaring the vacancy by Judge Chad Brown of the Separate Juvenile Court of Douglas County. There was no testimony offered in opposition to declaring a vacancy.

¹ The Chair notes that Commissioner Darlene Starman participated in the meeting telephonically, but could not be heard by others on the call due to technical difficulties. Because her presence on the call was not known until after the meeting, her oral "yes" vote was neither recorded nor counted.

It was moved by Robert O'Neal and seconded by Robert Slovek that a vacancy be declared in the office of Separate Juvenile Court of Douglas County, and that a recommendation be made that the primary office of the vacancy be in Omaha, Douglas County, Nebraska. Voting yes, all present. Motion unanimously carried.

There being no further business to come before the Commission, the Chair asked whether there was any objection to adjourning the meeting. There being no objection, the meeting was adjourned.

Respectfully submitted:

A large, stylized handwritten signature in black ink, consisting of several overlapping loops and flourishes, positioned above the printed name.

Stephanie F. Staey
Chair

AGENDA
JUDICIAL RESOURCES COMMISSION

September 25, 2019 - 1 p.m.
Room 1510, State Capitol, Lincoln, Nebraska
TELEPHONE CONFERENCE MEETING

- I. Roll call of members by secretary.
- II. Approve the minutes of the meeting held on September 10, 2019.
- III. Due to the resignation of Judge Elizabeth G. Crnkovich, effective September 11, 2019, the Commission will determine, pursuant to Neb. Rev. Stat. § 24-1204 and § 24-1206, whether a judicial vacancy exists in the office of the Separate Juvenile Court of Douglas County.
- IV. Adjournment.

MINUTES OF THE MEETING
OF
THE NEBRASKA JUDICIAL RESOURCES COMMISSION
September 10, 2019

A public meeting of the Nebraska Judicial Resources Commission was held on the 10th day of September, 2019, in Room 1510, State Capitol Building, in Lincoln, Nebraska.

The meeting was scheduled to include videoconferencing as allowed by law, at four locations across the State. At the start of the public meeting a complete failure of technology in Room 1510 prevented any outgoing connection of the videoconferencing equipment. The Chair was advised that no other hearing room in the Capitol was available with videoconferencing capability. Because the purpose of the hearing was to determine whether a vacancy exists in the Separate Juvenile Court for Douglas County, and because the current weighted caseloads indicate a need for a number of judges greater than the number currently authorized by law, the Chair determined that those commissioners who were already present at the videoconferencing sites could participate in the meeting via teleconference pursuant to Neb. Rev. Stat. § 24-1204 (Reissue 2016). A teleconference connection was established and the meeting proceeded as scheduled.

The Chair called the meeting to order in Room 1510 at the hour of 1 p.m. Roll call by the Chair:

PRESENT

Justice Stephanie Stacy, Chair
Judge Anne Paine
Judge John Samson
Charles Conrad
William Dittrick
Timothy Engler
Michael McCarthy
Christopher Nielsen
Robert Parker
Lori Scherer
Darlene Starman
Robert Slovek

ABSENT

Judge Robert O'Neal
Stephen Bader
Brian Phares
Jacqueline Tessendorf

The Chair identified and received into the record Exhibits 1 through 7. During the meeting, Exhibit 8 (a copy of which is attached to the minutes) was provided by Corey Steel and received into the record.

The Chair called for acceptance of the minutes of the meeting of June 5, 2019. All present voting yes, the minutes were accepted.

The Chair announced that the purpose of the hearing was to determine whether a judicial vacancy exists in the office of the Separate Juvenile Court for Douglas County as a result of the retirement of Judge Douglas Johnson, effective August 31, 2019. Testimony was offered in support of declaring the vacancy by Judge Chad Brown of the Separate Juvenile Court of Douglas County; Raymond Curtis, II, Douglas County Separate Juvenile Court Administrator; Corey Steel, Nebraska State Court Administrator; and Liz Neeley, Executive Director Nebraska State Bar Association. There was no testimony offered in opposition to declaring a vacancy.

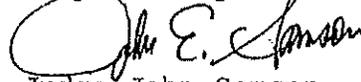
It was moved by Timothy Engler and seconded by Darlene Starman that a vacancy be declared in the office of Separate Juvenile Court of Douglas County, and that a recommendation be made that the primary office of the vacancy be in Omaha, Douglas County, Nebraska. Voting yes, all present. Motion carried.

In other business, the Chair:

1. Reported on recent judicial retirements/resignations occurring last week;
2. Updated the Commissioners on the status and timelines for the new judicial time study to update the weighted caseload methodology; and
3. Asked the attorney members of the Commission to form a subcommittee to review the existing rules of the Nebraska Judicial Resources Commission, and be prepared to make a recommendation on any suggested revisions or updates at the Annual Meeting on December 10, 2019. William Ditttrick agreed to chair and Timothy Engler agreed to vice chair the subcommittee.

There being no further business to come before the Commission, the Chair asked whether there was any objection to adjourning the meeting. There being no objection, the meeting was adjourned.

Respectfully submitted:



Judge John Samson
Secretary



The Separate Juvenile Court
of Douglas County

JUDGE ELIZABETH G. CRNKOVICH
600 HALL OF JUSTICE
OMAHA, NEBRASKA 68183
402-444-7888
FAX 402-444-3960

JOANNA MEINDERS
ADMINISTRATIVE ASSISTANT
TO THE JUDGE

ERIN CRNKOVICH
BAILIFF

BRAD MOWRER
REPORTER

September 6, 2019

RECEIVED

SEP 9 2019

(Name of the Clerk/Judge)

The Honorable Pete Ricketts
P.O. Box 94848
Lincoln, NE 68509

Dear Governor Ricketts:

I write to advise you that I am resigning my position as Judge of the Separate Juvenile Court of Douglas County, with my last day being September 11, 2019.

It has been my honor and privilege to serve the children and families in Douglas County for almost 25 years! I am forever grateful for having had such a wonderful opportunity.

Sincerely,

Elizabeth G. Crnkovich
Juvenile Court Judge

cc Chief Justice Michael Heavican

Nebraska Judicial Branch

Weighted Caseload Report

Separate Juvenile Courts

Reporting Period
Fiscal Year 2019

July 1, 2018 to
June 30, 2019



Nebraska Separate Juvenile Courts Weighted Caseload Report

Fiscal Year 2019 (July 1, 2018 — June 30, 2019)

This Weighted Separate Juvenile Court Caseload Report contains caseload statistics for Nebraska's three separate Juvenile Courts. The judiciary of Nebraska currently assesses the need for judicial positions using a weighted caseload method based on cases opened. Weighted caseload systems provide objective, standardized determinations of resource needs.

No quantitative judgeship assessment method, including a weighted caseload system will determine the exact number of judges required within a judicial district. But quantitative methods, such as weighted caseload can approximate the need for judgeships and provide a point of reference or standard for comparing relative need among judicial districts. Other measures, both qualitative and quantitative, may be used in conjunction with the weighted caseload standard calculation to support the assessment of judicial need. In particular, should the standard calculation show the need for a fractional judge (less than the full-time equivalent), additional assessments as to the relative workload per judge within a district and travel per judge may be useful. Also, other useful measures may include analyses of budget constraints, population trends, and other factors that may differentially affect the need for judges across districts.

Mission of the Nebraska Administrative Office of the Courts:

Under the direction of the Nebraska Supreme Court, the Administrative Office of the Courts' mission is to ensure the public has equal access to justice, using leadership, education, technology, and administrative services to implement consistent, efficient, and effective court practices.



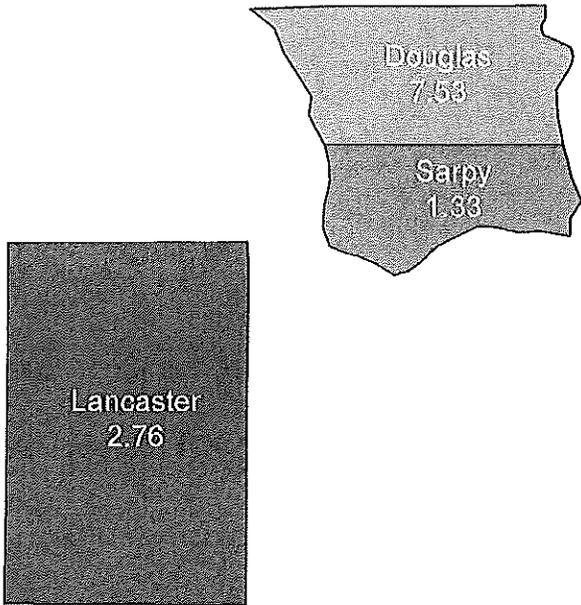
**Corey R. Steel | Nebraska State Court Administrator
Nebraska Supreme Court**

Rm. 1213 State Capitol | P.O. Box 98910 | Lincoln, NE 68509
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Weighted Caseload Report Separate Juvenile Courts

County court need for judges: 11.62
Current number of judges: 12

Predicted judicial resources need by county



Judges of the Separate Juvenile Courts

Sarpy County - 2nd District

Gendler
O'Neal (Otoe County Juvenile Cases)

Lancaster County - 3rd District

Heideman
Porter
Ryder
Thorson

Douglas County - 4th District

Brown
Crnkovich
Daniels
Johnson
Kahler
Kelly

Douglas County Juvenile Court Statistics

Pending Cases

2,025 pending cases (August 31, 2019)
 256 Status; 13%
 955 Delinquency (260 felony; 695 misdemeanor); 47%
 814 Neglect/Dependent; 40%

Children on Probation (Mary Visek, Chief Probation Officer) (August 29, 2019)

	District 4J	District 3J	District 2J
Current Number of Juvenile Probationers (8/29/19)	692	443	147
Number of Juvenile Intakes for Calendar Year 2018	716	193	195

New Cases Calendar Year 2018 (JUSTICE case management system, Administrative Office of the Courts)

<u>County</u>	<u>Filings</u>	<u>Annual Filings per Judge</u>
Douglas	1,884	314 (6 judges)
Lancaster	599	150 (4 judges)
Sarpy (includes Otoe)	595	298 (2 judges)

New Filings (includes supplemental petitions) Calendar Year 2018 (State Court Administrator)

<u>County</u>	<u>Filings</u>	<u>Annual Filings per Judge</u>
Douglas	2,687	448 (6 judges)
Lancaster	1,205	301 (4 judges)
Sarpy (includes Otoe)	674	337 (2 judges)

Diversion (pre-filing) Calendar Year 2018 (Shawne Coonfare, Director, Juvenile Assessment Center ("JAC"))

Youth with law violations only (not Truancy or Status)

1,222 referred for assessment	1,000 assessments	705 placed on diversion
539 successful diversions	233 warning letters issued	144 unsuccessful diversions

Children in Foster Care (Katherine Bass, Research Director, Foster Care Review Office)

4,098 total children placed out of home in Nebraska (June 30, 2019)
1,620 are from Douglas County (40%) (District 4J)
 584 are from Lancaster County (14%) (District 3J)
 303 are from Sarpy/Otoe County (7%) (District 2J)

HHS statistics (Camas Steuter, Eastern Service Area Administrator, HHS) (September 3, 2019)

17,397 intake reports of child abuse/neglect in Eastern Service Area in 2018; 5,396 accepted for assessment
 15,161 intake reports of child abuse/neglect in Douglas County in 2017; 4,694 accepted for assessment
 1,949 intake reports of child abuse/neglect in Sarpy County in 2017; 691 accepted for assessment

Interpreters needed for pending cases (Paula Crouse, JUSTICE Business Analyst Supervisor) (August 29, 2019)

283 cases have language needs (~14%); 14 different languages
 316 parties have language needs (multiple cases have multiple parties with language needs)

Census (United States Census Bureau) (2018 estimate)

	<u>Population</u>	<u>% under 18</u>	<u># under 18</u>	<u># under 18 per judge</u>
Douglas	561,880	25.6	143,841	23,974
Lancaster	317,272	22.9	72,655	18,164

Nebraska State Bar Association

"Helping lawyers help people"

September 16, 2019

The Honorable Stephanie F. Stacy
Nebraska Supreme Court Justice
State Capitol, #2219
Lincoln, NE 68509

Dear Justice Stacy:

On behalf of the NSBA Judicial Resources Committee ("the Committee"), I wish to convey to the members of the Judicial Resources Commission our recommendation regarding the vacancy in the Office of the Separate Juvenile Court of Douglas county, due to the retirement of Judge Elizabeth G. Crnkovich.

The Committee met on September 16th and weighed a number of factors including caseload, case types and most importantly, access to the trial courts for Nebraska citizens. The members of the Committee also had available the Judicial Weighted Caseload Reports ("Judicial Workload Assessment") which included statistics through 2018. Based upon this discussion the Committee concluded that the State's justice system will not have adequate judicial resources available unless the current vacancy is filled expeditiously.

Therefore, the Committee recommends that the current vacancy in the Office of the Separate Juvenile Court of Douglas county be filled, with the principle office in Douglas County.

Thank you for your consideration of the recommendations set forth herein. Please include this letter with the materials provided to the members of the Judicial Resources Commission ahead of your September 25th meeting.

Sincerely,



J. Scott Paul
NSBA President

Cc: Corey Steel
Liz Neeley
Mike McCarthy

SEPARATE JUVENILE COURT
of Lancaster County

TONI G. THORSON

Judge

DIANNE PAUL

Bailiff



Mailing Address:
575 South 10th Street
Lincoln, Nebraska 68508

Phone: (402) 441-8487

Fax: (402) 441-7413

September 25, 2019

Chief Justice Michael G. Heavican
Nebraska Supreme Court
P.O. Box 98910
State Capitol Building
Lincoln NE 68509

RECEIVED

SEP 30 2019

Office of the Chief Justice

Dear Mike,

After 30 years on the bench I've decided to retire with my last day to be on October 16, 2019. It has been an honor to work with my colleagues to try to help children and families experiencing difficult and challenging times in their lives. I shared my intention to retire some time ago with my fellow judges and we have been working together to ease the time before the new judge takes over.

On a personal note, it was my friends in the County Attorney's Office, you among them, that encouraged me to seek this position. To do so was one of the best decisions of my life. I have seen many Chief Justices come and go and I can truly say not one of them has cared more or worked harder for the children and families that appear in Juvenile Court than you.

Sincerely,

Toni G. Thorson
Juvenile Court Judge

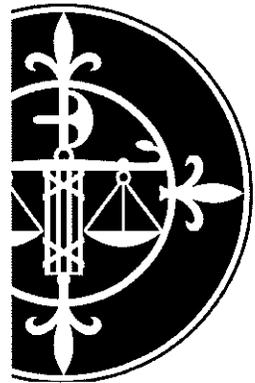
Nebraska Judicial Branch

Weighted Caseload Report

Separate Juvenile Courts

Reporting Period
Fiscal Year 2019

July 1, 2018 to
June 30, 2019



Nebraska Separate Juvenile Courts Weighted Caseload Report

Fiscal Year 2019 (July 1, 2018 — June 30, 2019)

This Weighted Separate Juvenile Court Caseload Report contains caseload statistics for Nebraska's three separate Juvenile Courts. The judiciary of Nebraska currently assesses the need for judicial positions using a weighted caseload method based on cases opened. Weighted caseload systems provide objective, standardized determinations of resource needs.

No quantitative judgeship assessment method, including a weighted caseload system will determine the exact number of judges required within a judicial district. But quantitative methods, such as weighted caseload can approximate the need for judgeships and provide a point of reference or standard for comparing relative need among judicial districts. Other measures, both qualitative and quantitative, may be used in conjunction with the weighted caseload standard calculation to support the assessment of judicial need. In particular, should the standard calculation show the need for a fractional judge (less than the full-time equivalent), additional assessments as to the relative workload per judge within a district and travel per judge may be useful. Also, other useful measures may include analyses of budget constraints, population trends, and other factors that may differentially affect the need for judges across districts.

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**Corey R. Steel | Nebraska State Court Administrator
Nebraska Supreme Court**

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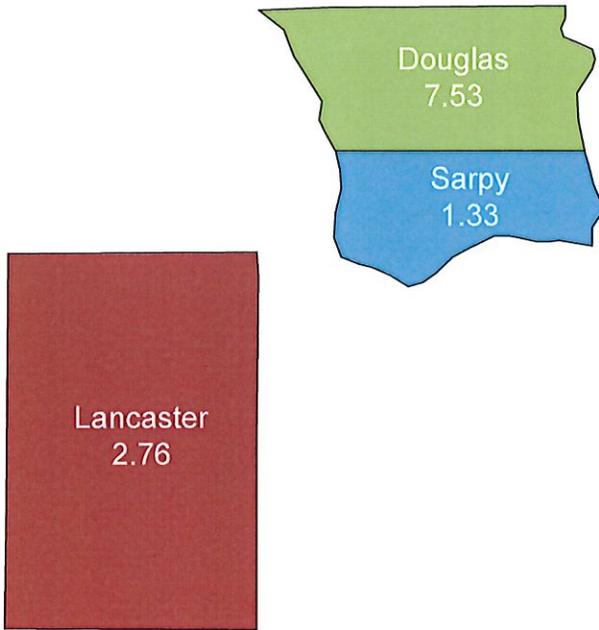
Weighted Caseload Report

Separate Juvenile Courts

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Heideman
Porter
Ryder
Thorson

Douglas County - 4th District

Brown
Crnkovich
Daniels
Johnson
Kahler
Kelly

43-246. Code, how construed.

Acknowledging the responsibility of the juvenile court to act to preserve the public peace and security, the Nebraska Juvenile Code shall be construed to effectuate the following:

(1) To assure the rights of all juveniles to care and protection and a safe and stable living environment and to development of their capacities for a healthy personality, physical well-being, and useful citizenship and to protect the public interest;

(2) To provide for the intervention of the juvenile court in the interest of any juvenile who is within the provisions of the Nebraska Juvenile Code, with due regard to parental rights and capacities and the availability of nonjudicial resources;

(3) To remove juveniles who are within the Nebraska Juvenile Code from the criminal justice system whenever possible and to reduce the possibility of their committing future law violations through the provision of social and rehabilitative services to such juveniles and their families;

(4) To offer selected juveniles the opportunity to take direct personal responsibility for their individual actions by reconciling with the victims, or victim surrogates when appropriate, through restorative justice practices and fulfilling the terms of the resulting reparation plan which may require apologies, restitution, community service, or other agreed-upon means of making amends;

(5) To achieve the purposes of subdivisions (1) through (3) of this section in the juvenile's own home whenever possible, separating the juvenile from his or her parent when necessary for his or her welfare, the juvenile's health and safety being of paramount concern, or in the interest of public safety and, when temporary separation is necessary, to consider the developmental needs of the individual juvenile in all placements, to consider relatives as a preferred potential placement resource, and to make reasonable efforts to preserve and reunify the family if required under section 43-283.01;

(6) To promote adoption, guardianship, or other permanent arrangements for children in the custody of the Department of Health and Human Services who are unable to return home;

(7) To provide a judicial procedure through which these purposes and goals are accomplished and enforced in which the parties are assured a fair hearing and their constitutional and other legal rights are recognized and enforced;

§ 6-104. Time for disposition of juvenile cases.

These standards are designed as tools to achieve the overall goals of efficiency, productivity, and access to justice, and are not intended as absolute requirements.

(A) The following case progression standards shall apply to child welfare cases:

(1) A temporary custody hearing should be held no later than 8 days after the child's removal.

(2) Adjudication hearings in cases under Neb. Rev. Stat. § 43-247(3)(a) where children have been removed should be held within 60 days of the filing of the petition. Where the children have not been removed, or are returned home shortly after the filing of the petition, the adjudication hearing should occur within 90 days of the date of filing. If the termination of parental rights hearing is happening simultaneously or the case has complex issues or the service of process on a parent or child requires additional time, there can be an exception. In cases where families are participating in voluntary services where a dismissal is anticipated in the future, it would be permitted or allowed to regard the case as on hold, and therefore exempt from the progression standard, until dismissal.

(3) A disposition hearing should be held within 45 days from the date of the adjudication hearing.

(4) Review hearings should be held, on the record, every 6 months.

(5) The time between the filing of a Motion to Terminate Parental Rights and submission for decision should be no more than 90 days. When an initial petition also includes a Motion to Terminate Parental Rights, it should be submitted to the court for decision within 180 days. If service on the parent is delayed, the 90-day or 180-day period may start once service is effected.

(B) The following case progression standards shall apply to juvenile justice cases:

(1) Notwithstanding any federal or state law providing for a longer period, the juvenile shall not be held in detention for more than 48 hours without a probable cause finding being made by the appropriate judicial authority.

Nothing contained in this rule shall prevent the judges of a separate juvenile court of any county in this state or the county judges having juvenile jurisdiction in any judicial district of this state from adopting a local rule providing for a probable cause finding to be made by the appropriate judicial authority in a timeframe of less than 48 hours nor shall this rule prevent such local rule from requiring the appropriate judicial authority to make a finding whether continued detention is a matter of immediate and urgent necessity because the juvenile is a danger to self or others or to property of others or is at risk for flight.

(2) An adjudication hearing shall be held within 30 days from the initial date of detention if the juvenile remains detained after the filing of a delinquency petition or 14 days if the juvenile

remains detained on a Motion to Revoke Probation.

(3) The time between the filing of the petition and the adjudication for nondetained juveniles should be no more than 90 days for delinquency or status offenses and no more than 30 days for resolutions of Motions to Revoke Probation for nondetained juveniles.

(4) A disposition hearing should be held within 45 days from the date of the adjudication hearing.

Rule 3(A) - (D) adopted March 19, 1997. Renumbered and codified as § 6-103, effective July 18, 2008; § 6-103 renumbered to § 6-104 November 27, 2013; § 6-104(A) amended December 18, 2013; § 6-104 amended September 20, 2017.



Theresa Emmert
Juvenile Court Administrator
Separate Juvenile Court of Lancaster County
Justice and Law Enforcement Center
575 South 10th Street, 4th Floor
Lincoln NE 68508



MEMO

DATE: December 4, 2019

FROM: Theresa Emmert
Juvenile Court Administrator

RE: Lancaster County Juvenile Court statistics (additional information)

New Filings (includes supplemental petitions)				
	7/1/19 - 11/30/19	7/1/18 - 11/30/18	1/1/19 - 11/30/19	1/1/18 - 11/30/18
Total	354	358	857	737
Law Violations	217	253	466	490
Abuse and Neglect (3a)	107	72	216	165
Truancy and Ungovernable (3b)	30	33	175	82

Abuse and Neglect (3a) cases

Current number of open cases - **388**

Current number of juveniles - **682**

Law Violation and Truancy/Ungovernable (3b) cases

Current number of active probationers - **417**

All case types (Abuse and Neglect, Law Violation, Truancy and Ungovernable)

Current total number of youths in out of home placements – **591**

Population Trends: see attached report from Kids Count in Nebraska – 2018

Judicial Committee/Commission Assignments - Judge Heideman:

Nebraska Children's Commission
Commission on Children in Court
Committee on Problem Solving Courts
Juvenile Judges Curriculum Committee
Judicial Branch Education Advisory Committee
Family Dependency Court Standards Committee
Dispute Resolution Advisory Committee
Technology Committee
Through the Eyes of the Child Initiative, Co-Chair
RFK Probation System Enhancement
Juvenile Alternative to Detention Initiative
Advisory Counsel Nebraska Resource Project for Vulnerable Young Children
Advisory Group National Family Treatment Court Best Practice Standards

Judicial Committee/Commission Assignments - Judge Porter:

Commission on Children in the Courts
Children's Commission
Ethics Advisory Committee
Probations Services Committee
Judicial Branch Education Committee
Chief Justice's Leadership Committee
Through the Eyes of the Child Initiative
Domestic Violence Subcommittee
Court Record Committee
Judicial Workload Advisory Committee
RFK Probation System Enhancement
Juvenile Alternative to Detention Initiative

Judicial Committee/Commission Assignments - Judge Ryder:

Commission on Children in Court, Education Subcommittee
Juvenile Court Judges Association, President
Through the Eyes of the Child Initiative, Co-Chair
Dispute Resolution Advisory Council
Judicial Ethics Committee
Adoption Day Committee
Lancaster County Steering Committee
Truancy Diversion Program Committee
RFK Probation System Enhancement
Juvenile Alternative to Detention Initiative

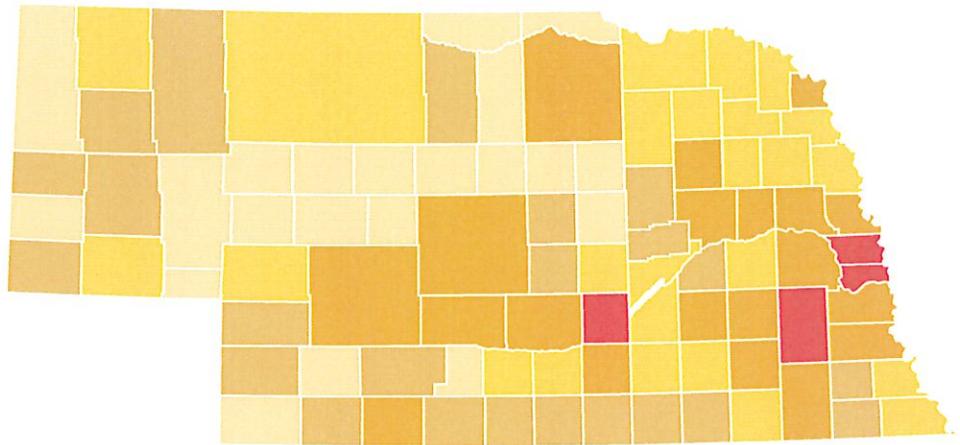
Total population (2013 & 2017)

State	Number
2013	1,867,414
2017	1,920,076

Highest county	2017
By number	Douglas
By percent change	Banner

Lowest county	2017
By number	Arthur
By percent change	Sioux

Total population (2017)



450-2,499 2,500-5,499 5,500-9,999 10,000-59,999 60,000+

	2013	2017	% Change
Adams	31,547	31,678	0.4%
Antelope	6,471	6,362	-1.7%
Arthur	454	457	0.7%
Banner	679	742	9.3%
Blaine	470	482	2.6%
Boone	5,399	5,352	-0.9%
Box Butte	11,297	10,886	-3.6%
Boyd	2,016	1,977	-1.9%
Brown	2,959	3,014	1.9%
Buffalo	48,050	49,732	3.5%
Burt	6,568	6,535	-0.5%
Butler	8,230	8,053	-2.2%
Cass	25,293	25,889	2.4%
Cedar	8,624	8,530	-1.1%
Chase	3,978	3,971	-0.2%
Cherry	5,754	5,818	1.1%
Cheyenne	10,066	9,676	-3.9%
Clay	6,359	6,205	-2.4%
Colfax	10,461	10,585	1.2%
Cuming	9,013	9,042	0.3%
Custer	10,832	10,897	0.6%
Dakota	20,802	20,186	-3.0%
Dawes	9,065	8,890	-1.9%
Dawson	24,073	23,709	-1.5%
Deuel	1,923	1,883	-2.1%
Dixon	5,807	5,754	-0.9%
Dodge	36,508	36,707	0.5%
Douglas	537,527	561,620	4.5%
Dundy	1,958	1,801	-8.0%
Fillmore	5,636	5,582	-1.0%
Franklin	3,065	2,990	-2.4%

	2013	2017	% Change
Frontier	2,716	2,631	-3.1%
Furnas	4,832	4,780	-1.1%
Gage	21,726	21,601	-0.6%
Garden	1,923	1,906	-0.9%
Garfield	2,023	2,016	-0.3%
Gosper	2,017	2,028	0.5%
Grant	633	649	2.5%
Greeley	2,483	2,374	-4.4%
Hall	60,613	61,519	1.5%
Hamilton	9,123	9,207	0.9%
Harlan	3,502	3,443	-1.7%
Hayes	945	893	-5.5%
Hitchcock	2,855	2,834	-0.7%
Holt	10,384	10,202	-1.8%
Hooker	731	674	-7.8%
Howard	6,337	6,437	1.6%
Jefferson	7,511	7,178	-4.4%
Johnson	5,163	5,185	0.4%
Kearney	6,486	6,530	0.7%
Keith	8,159	8,072	-1.1%
Keya Paha	791	793	0.3%
Kimball	3,695	3,619	-2.1%
Knox	8,556	8,472	-1.0%
Lancaster	297,528	314,358	5.7%
Lincoln	35,950	35,280	-1.9%
Logan	777	768	-1.2%
Loup	587	609	3.7%
Madison	35,178	35,144	-0.1%
McPherson	529	499	-5.7%
Merrick	7,826	7,882	0.7%
Morrill	4,926	4,836	-1.8%

	2013	2017	% Change
Nance	3,559	3,607	1.3%
Nemaha	7,149	6,949	-2.8%
Nuckolls	4,384	4,275	-2.5%
Otoe	15,700	16,027	2.1%
Pawnee	2,750	2,641	-4.0%
Perkins	2,893	2,903	0.3%
Phelps	9,182	9,060	-1.3%
Pierce	7,180	7,138	-0.6%
Platte	32,630	33,175	1.7%
Polk	5,247	5,328	1.5%
Red Willow	11,056	10,728	-3.0%
Richardson	8,132	7,969	-2.0%
Rock	1,441	1,436	-0.3%
Saline	14,332	14,441	0.8%
Sarpy	169,095	181,439	7.3%
Saunders	20,880	21,057	0.8%
Scotts Bluff	36,855	36,363	-1.3%
Seward	16,994	17,161	1.0%
Sheridan	5,209	5,289	1.5%
Sherman	3,061	3,086	0.8%
Sioux	1,330	1,203	-9.5%
Stanton	6,088	5,988	-1.6%
Thayer	5,179	5,045	-2.6%
Thomas	705	725	2.8%
Thurston	6,875	7,223	5.1%
Valley	4,182	4,209	0.6%
Washington	20,213	20,721	2.5%
Wayne	9,445	9,318	-1.3%
Webster	3,643	3,524	-3.3%
Wheeler	778	818	5.1%
York	13,858	13,806	-0.4%

Source: U.S. Census Bureau, Population Estimates Program, July 1, 2013 and 2017 Estimates, Table PEPAGESEX.

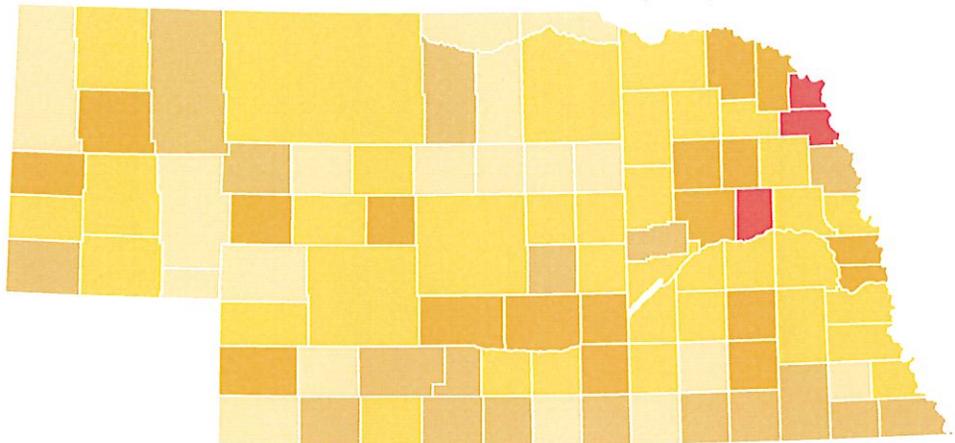
Children 19 and under (2013 & 2017)

Percent of children 19 and under (2017)

State	Number	% total population
2013	518,067	27.7%
2017	528,860	27.5%

Highest county	By number	By % total population
2013	Douglas	Thurston
2017	Douglas	Thurston

Lowest county	By number	By % total population
2013	Blaine	Garden
2017	Blaine	Keya Paha



18.0-22.9% 23.0-24.9% 25.0-26.9% 27.0-29.9% 30.0%+

	2013	% total population	2017	% total population
Adams	8,560	27.1%	8,649	27.3%
Antelope	1,648	25.5%	1,633	25.7%
Arthur	139	30.6%	132	28.9%
Banner	141	20.8%	189	25.5%
Blaine	112	23.8%	108	22.4%
Boone	1,351	25.0%	1,382	25.8%
Box Butte	3,077	27.2%	2,978	27.4%
Boyd	469	23.3%	435	22.0%
Brown	695	23.5%	721	23.9%
Buffalo	13,409	27.9%	13,546	27.2%
Burt	1,614	24.6%	1,591	24.3%
Butler	2,185	26.5%	2,081	25.8%
Cass	6,841	27.0%	6,874	26.6%
Cedar	2,379	27.6%	2,342	27.5%
Chase	1,051	26.4%	1,071	27.0%
Cherry	1,401	24.3%	1,453	25.0%
Cheyenne	2,629	26.1%	2,503	25.9%
Clay	1,700	26.7%	1,657	26.7%
Coffax	3,317	31.7%	3,529	33.3%
Cumling	2,426	26.9%	2,401	26.6%
Custer	2,705	25.0%	2,786	25.6%
Dakota	6,623	31.8%	6,297	31.2%
Dawes	2,376	26.2%	2,223	25.0%
Dawson	7,421	30.8%	7,068	29.8%
Deuel	453	23.6%	427	22.7%
Dixon	1,603	27.6%	1,611	28.0%
Dodge	9,530	26.1%	9,797	26.7%
Douglas	152,946	28.5%	158,865	28.3%
Dundy	506	25.8%	397	22.0%
Fillmore	1,314	23.3%	1,235	22.1%
Franklin	674	22.0%	625	20.9%

	2013	% total population	2017	% total population
Frontier	695	25.6%	651	24.7%
Furnas	1,192	24.7%	1,147	24.0%
Gage	5,362	24.7%	5,290	24.5%
Garden	361	18.8%	401	21.0%
Garfield	442	21.8%	423	21.0%
Gosper	512	25.4%	493	24.3%
Grant	149	23.5%	154	23.7%
Greeley	641	25.8%	605	25.5%
Hall	17,846	29.4%	18,193	29.6%
Hamilton	2,483	27.2%	2,434	26.4%
Harlan	831	23.7%	811	23.6%
Hayes	233	24.7%	201	22.5%
Hitchcock	660	23.1%	703	24.8%
Holt	2,702	26.0%	2,731	26.8%
Hooker	165	22.6%	154	22.8%
Howard	1,646	26.0%	1,664	25.9%
Jefferson	1,826	24.3%	1,702	23.7%
Johnson	1,110	21.5%	1,085	20.9%
Kearney	1,711	26.4%	1,739	26.6%
Keith	1,842	22.6%	1,793	22.2%
Keya Paha	168	21.2%	158	19.9%
Kimball	894	24.2%	878	24.3%
Knox	2,244	26.2%	2,242	26.5%
Lancaster	79,907	26.9%	83,945	26.7%
Lincoln	9,716	27.0%	9,186	26.0%
Logan	198	25.5%	221	28.8%
Loup	121	20.6%	124	20.4%
Madison	9,755	27.7%	9,793	27.9%
McPherson	155	29.3%	127	25.5%
Merrick	2,041	26.1%	1,979	25.1%
Morrill	1,329	27.0%	1,237	25.6%

	2013	% total population	2017	% total population
Nance	893	25.1%	899	24.9%
Nemaha	1,874	26.2%	1,810	26.0%
Nuckolls	997	22.7%	954	22.3%
Otoe	4,054	25.8%	4,213	26.3%
Pawnee	638	23.2%	613	23.2%
Perkins	753	26.0%	782	26.9%
Phelps	2,476	27.0%	2,369	26.1%
Pierce	1,948	27.1%	1,917	26.9%
Platte	9,299	28.5%	9,454	28.5%
Polk	1,352	25.8%	1,350	25.3%
Red Willow	2,836	25.7%	2,705	25.2%
Richardson	1,819	22.4%	1,842	23.1%
Rock	314	21.8%	318	22.1%
Saline	4,165	29.1%	4,243	29.4%
Sarpy	51,929	30.7%	54,212	29.9%
Saunders	5,721	27.4%	5,579	26.5%
Scotts Bluff	9,942	27.0%	9,985	27.5%
Seward	4,861	28.6%	4,853	28.3%
Sheridan	1,287	24.7%	1,292	24.4%
Sherman	724	23.7%	722	23.4%
Sioux	322	24.2%	244	20.3%
Stanton	1,770	29.1%	1,624	27.1%
Thayer	1,286	24.8%	1,244	24.7%
Thomas	174	24.7%	186	25.7%
Thurston	2,650	38.5%	2,833	39.2%
Valley	1,045	25.0%	1,069	25.4%
Washington	5,474	27.1%	5,561	26.8%
Wayne	2,624	27.8%	2,496	26.8%
Webster	898	24.7%	844	24.0%
Wheeler	178	22.9%	187	22.9%
York	3,532	25.5%	3,590	26.0%

Source: U.S. Census Bureau, Population Estimates Program, July 1, 2013 and 2017 Estimates.

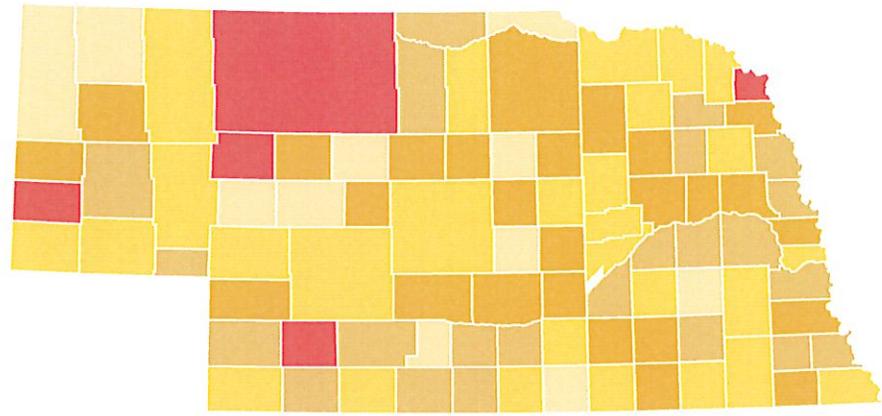
Children 4 and under (2013 & 2017)

Percent of children 4 and under (2017)

State	Number	% of all children
2013	130,160	25.1%
2017	133,061	25.2%

Highest county	By number	By % of all children
2013	Douglas	Grant
2017	Douglas	Grant

Lowest county	By number	By % of all children
2013	Loup	Garfield
2017	McPherson	McPherson



■ < 20.9%
 ■ 21.0-22.9%
 ■ 23.0-24.9%
 ■ 25.0-26.9%
 ■ 27.0%+

	2013	% of all children	2017	% of all children
Adams	1,997	23.3%	2,094	24.2%
Antelope	414	25.1%	434	26.6%
Arthur	36	25.9%	20	15.2%
Banner	33	23.4%	52	27.5%
Blaine	38	33.9%	28	25.9%
Boone	302	22.4%	342	24.7%
Box Butte	772	25.1%	788	26.5%
Boyd	111	23.7%	82	18.9%
Brown	135	19.4%	162	22.5%
Buffalo	3,326	24.8%	3,486	25.7%
Burt	353	21.9%	341	21.4%
Butler	458	21.0%	453	21.8%
Cass	1,496	21.9%	1,575	22.9%
Cedar	501	21.1%	572	24.4%
Chase	258	24.5%	234	21.8%
Cherry	325	23.2%	413	28.4%
Cheyenne	615	23.4%	610	24.4%
Clay	403	23.7%	427	25.8%
Coffax	911	27.5%	937	26.6%
Cuming	508	20.9%	568	23.7%
Custer	639	23.6%	690	24.8%
Dakota	1,657	25.0%	1,714	27.2%
Dawes	471	19.8%	450	20.2%
Dawson	1,817	24.5%	1,883	26.6%
Deuel	95	21.0%	95	22.2%
Dixon	349	21.8%	389	24.1%
Dodge	2,293	24.1%	2,517	25.7%
Douglas	40,812	26.7%	42,788	26.9%
Dundy	83	16.4%	94	23.7%
Fillmore	279	21.2%	311	25.2%
Franklin	148	22.0%	153	24.5%

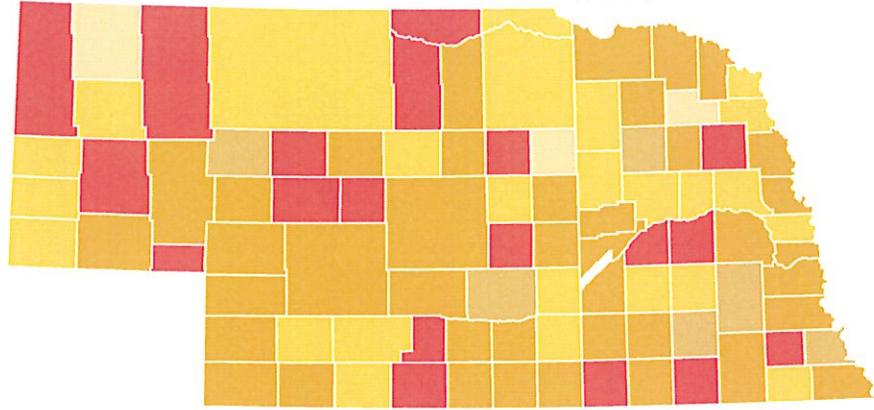
	2013	% of all children	2017	% of all children
Frontier	110	15.8%	140	21.5%
Furnas	244	20.5%	260	22.7%
Gage	1,258	23.5%	1,282	24.2%
Garden	74	20.5%	97	24.2%
Garfield	69	15.6%	87	20.6%
Gosper	126	24.6%	99	20.1%
Grant	52	34.9%	47	30.5%
Greeley	143	22.3%	146	24.1%
Hall	4,692	26.3%	4,755	26.1%
Hamilton	525	21.1%	556	22.8%
Harlan	226	27.2%	179	22.1%
Hayes	47	20.2%	58	28.9%
Hitchcock	157	23.8%	156	22.2%
Holt	717	26.5%	708	25.9%
Hooker	43	26.1%	39	25.3%
Howard	380	23.1%	428	25.7%
Jefferson	401	22.0%	395	23.2%
Johnson	252	22.7%	244	22.5%
Kearney	397	23.2%	393	22.6%
Keith	371	20.1%	422	23.5%
Keya Paha	38	22.6%	34	21.5%
Kimball	229	25.6%	212	24.1%
Knox	522	23.3%	532	23.7%
Lancaster	20,210	25.3%	20,293	24.2%
Lincoln	2,339	24.1%	2,130	23.2%
Logan	41	20.7%	58	26.2%
Loup	22	18.2%	32	25.8%
Madison	2,604	26.7%	2,588	26.4%
McPherson	33	21.3%	16	12.6%
Merrick	458	22.4%	472	23.9%
Morrill	287	21.6%	283	22.9%

	2013	% of all children	2017	% of all children
Nance	235	26.3%	212	23.6%
Nemaha	434	23.2%	386	21.3%
Nuckolls	198	19.9%	223	23.4%
Otoe	1,005	24.8%	1,064	25.3%
Pawnee	138	21.6%	165	26.9%
Perkins	195	25.9%	204	26.1%
Phelps	655	26.5%	531	22.4%
Pierce	419	21.5%	463	24.2%
Platte	2,439	26.2%	2,450	25.9%
Polk	296	21.9%	295	21.9%
Red Willow	658	23.2%	633	23.4%
Richardson	395	21.7%	450	24.4%
Rock	64	20.4%	78	24.5%
Saline	999	24.0%	943	22.2%
Sarpy	13,468	25.9%	13,300	24.5%
Saunders	1,325	23.2%	1,271	22.8%
Scotts Bluff	2,520	25.3%	2,498	25.0%
Seward	1,016	20.9%	995	20.5%
Sheridan	276	21.4%	301	23.3%
Sherman	156	21.5%	150	20.8%
Sioux	71	22.0%	45	18.4%
Stanton	400	22.6%	361	22.2%
Thayer	252	19.6%	320	25.7%
Thomas	57	32.8%	33	17.7%
Thurston	713	26.9%	755	26.7%
Valley	233	22.3%	277	25.9%
Washington	1,105	20.2%	1,202	21.6%
Wayne	538	20.5%	524	21.0%
Webster	233	25.9%	165	19.5%
Wheeler	47	26.4%	49	26.2%
York	918	26.0%	875	24.4%

Source: U.S. Census Bureau, Population Estimates Program, July 1, 2013 and 2017 Estimates.

Children 10-17 years (2013 & 2017)

Percent of children 10-17 (2017)



<35.0% 35.0-37.9% 38.0-40.9% 41.0-43.9% 44.0%+

State	Number	% of all children
2013	194,713	38.9%
2017	202,792	39.7%

Highest county	By number	By % of all children
2013	Douglas	Loup
2017	Douglas	McPherson

Lowest county	By number	By % of all children
2013	Blaine	Wayne
2017	Blaine	Dawes

	2013	% of all children	2017	% of all children
Adams	3,349	39.1%	3,390	39.2%
Antelope	686	41.6%	642	39.3%
Arthur	55	39.6%	57	43.2%
Banner	56	39.7%	75	39.7%
Blaine	47	42.0%	42	38.9%
Boone	590	43.7%	556	40.2%
Box Butte	1,288	41.9%	1,176	39.5%
Boyd	213	45.4%	178	40.9%
Brown	313	45.0%	332	46.0%
Buffalo	4,728	35.3%	4,924	36.4%
Burt	666	41.3%	697	43.8%
Butler	1,008	46.1%	922	44.3%
Cass	2,992	43.7%	2,973	43.2%
Cedar	1,022	43.0%	973	41.5%
Chase	438	41.7%	466	43.5%
Cherry	587	41.9%	578	39.8%
Cheyenne	1,147	43.6%	1,062	42.4%
Clay	705	41.5%	699	42.2%
Coffax	1,242	37.4%	1,398	39.6%
Cuming	1,069	44.1%	1,062	44.2%
Custer	1,099	40.6%	1,170	42.0%
Dakota	2,730	41.2%	2,459	39.1%
Dawes	764	32.2%	680	30.6%
Dawson	3,045	41.0%	2,956	41.8%
Deuel	181	40.0%	194	45.4%
Dixon	723	45.1%	675	41.9%
Dodge	3,778	39.6%	3,922	40.0%
Douglas	58,648	38.3%	61,760	38.9%
Dundy	245	48.4%	171	43.1%
Fillmore	582	44.3%	534	43.2%
Franklin	279	41.4%	261	41.8%

	2013	% of all children	2017	% of all children
Frontier	302	43.5%	256	39.3%
Furnas	538	45.1%	544	47.4%
Gage	2,234	41.7%	2,221	42.0%
Garden	162	44.9%	175	43.6%
Garfield	204	46.2%	196	46.3%
Gosper	210	41.0%	230	46.7%
Grant	48	32.2%	56	36.4%
Greeley	274	42.7%	250	41.3%
Hall	6,922	38.8%	7,419	40.8%
Hamilton	1,126	45.3%	1,046	43.0%
Harlan	338	40.7%	346	42.7%
Hayes	101	43.3%	80	39.8%
Hitchcock	263	39.8%	305	43.4%
Holt	1,060	39.2%	1,083	39.7%
Hooker	68	41.2%	68	44.2%
Howard	692	42.0%	712	42.8%
Jefferson	781	42.8%	753	44.2%
Johnson	469	42.3%	486	44.8%
Kearney	672	39.3%	750	43.1%
Keith	833	45.2%	777	43.3%
Keya Paha	74	44.0%	75	47.5%
Kimball	365	40.8%	354	40.3%
Knox	1,010	45.0%	956	42.6%
Lancaster	28,525	35.7%	31,434	37.4%
Lincoln	3,813	39.2%	3,945	42.9%
Logan	73	36.9%	107	48.4%
Loup	65	53.7%	52	41.9%
Madison	3,653	37.4%	3,693	37.7%
McPherson	63	40.6%	76	59.8%
Merrick	916	44.9%	843	42.6%
Morrill	577	43.4%	544	44.0%

	2013	% of all children	2017	% of all children
Nance	359	40.2%	386	42.9%
Nemaha	646	34.5%	682	37.7%
Nuckolls	438	43.9%	426	44.7%
Otoe	1,672	41.2%	1,760	41.8%
Pawnee	288	45.1%	249	40.6%
Perkins	298	39.6%	334	42.7%
Phelps	1,005	40.6%	1,016	42.9%
Pierce	864	44.4%	808	42.1%
Platte	3,721	40.0%	3,794	40.1%
Polk	591	43.7%	610	45.2%
Red Willow	1,137	40.1%	1,104	40.8%
Richardson	837	46.0%	768	41.7%
Rock	136	43.3%	133	41.8%
Saline	1,513	36.3%	1,576	37.1%
Sarpy	20,491	39.5%	22,306	41.1%
Saunders	2,400	42.0%	2,408	43.2%
Scotts Bluff	3,956	39.8%	4,061	40.7%
Seward	1,875	38.6%	1,842	38.0%
Sheridan	555	43.1%	570	44.1%
Sherman	319	44.1%	327	45.3%
Sioux	143	44.4%	116	47.5%
Stanton	763	43.1%	700	43.1%
Thayer	523	40.7%	527	42.4%
Thomas	73	42.0%	79	42.5%
Thurston	980	37.0%	1,114	39.3%
Valley	465	44.5%	421	39.4%
Washington	2,406	44.0%	2,397	43.1%
Wayne	807	30.8%	828	33.2%
Webster	358	39.9%	350	41.5%
Wheeler	72	40.4%	63	33.7%
York	1,288	36.5%	1,416	39.4%

Source: U.S. Census Bureau, Population Estimates Program, July 1, 2013 and 2017 Estimates.

Memorandum

From: Nebraska Resource Project for Vulnerable Young Children
To: Judicial Resource Commission
Re: Family Treatment Drug Court
Date: November 5, 2019

Introduction

In January 2014 the Lancaster County Family Treatment Drug Court (FTDC) Track was established as an alternative court process for child abuse and neglect cases with a petition alleging substance abuse. This memorandum describes the evaluation method and findings on case outcomes and parents' experiences with the court process. The Nebraska Resource Project for Vulnerable Young Children evaluation found that FTDC cases close through both reunification and termination of parental rights in fewer days than other abuse and neglect cases and that FTDC parents feel more heard by the court team, case workers, and the judge than other abuse and neglect cases.

Families facing allegations of child abuse or neglect because of substance use are assigned to Judge Heideman's court except when the family had a previous case with a different judge. Cases can also transfer to Judge Heideman from other Lancaster County juvenile court judges when substance use issues are revealed later in the case. Eligible families begin the FTDC after the disposition hearing and order when they are assigned a case manager who primarily works with families on the FTDC. In the FTDC, court orders often include particular services, such as utilizing a call-in drug testing service, and that families participate in a monthly Family Team Meeting with case managers, attorneys, service providers, support persons, and Judge Heideman. Families involved in FTDC meet informally with the court team once a month to identify successes and barriers to engaging in services. Additionally, FTDC families have formal review hearings every three months. The FTDC program is primarily characterized by the more frequent formal and informal contacts between families and the court. As of July 30, 2019, records indicated that 190 families have been involved with FTDC and 44 families have been identified for a comparison group.

Beginning on October 1, 2016, Lancaster County received a drug court enhancement grant from the Office for Juvenile Justice and Delinquency Prevention (OJJDP) of the United States Department of Justice. The grant funds were intended to secure spots in treatment programs to allow parents to enter treatment quickly and to develop a supportive housing program. Families in which the children were removed after October 1, 2016 received access to these services which were funded by the OJJDP Grant.

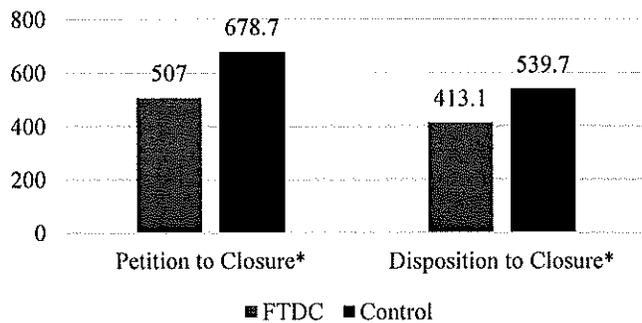
The Nebraska Resource Project for Vulnerable Young Children (NRPVYC) at the University of Nebraska–Lincoln's Center on Children, Families, and the Law is conducting an ongoing two-part evaluation of the FTDC. To conduct this evaluation, the NRPVYC evaluation team reviewed case files through the Nebraska online case management database, JUSTICE, for case progression and outcome data and interviewed parents about their experiences with the court.

The results reveal that FTDC cases close in fewer days and that FTDC parents are more satisfied as compared to other abuse and neglect cases.

Case Information and Progression

The NRPVYC evaluation team reviewed the case files of 234 families involved with the child dependency court (FTDC: $n = 190$; Control: $n = 44$). This accounted for 445 total children (average age = 5.1 years) (FTDC: $n = 361$; Control: $n = 84$). DHHS case plans and court reports identified 234 children as White (52.6%), 74 as Black or African American (16.6%), 58 as American Indian or Alaska Native (13.0%), 18 as mixed race (4.0%), 18 as Hispanic (4.0%), and 2 as Asian or Pacific Islander (0.4%). The race of 20 children was unknown (4.5%). There was at least one father involved in 120 (63.2%) FTDC families, and 25 (56.8%) control group cases. A Native American Nation intervened in 21 (11.1%) FTDC cases and 5 (11.4%) control cases under the Indian Child Welfare Act (ICWA). See Table 1 for all case progression statistics, including means and significance tests.

The court closed 136 (71.6%) FTDC group cases and 33 (75.0%) of control group cases. **FTDC cases closed in significantly fewer days after the petition was filed on average than control group cases, $F(1, 167) = 12.9, p < .001$.** Additionally, FTDC cases closed in significantly fewer days after the date of disposition as compared to control group cases, $F(1, 163) = 7.4, p < .010$. See Figure 1 for the mean number of days between the date the petition was filed and the



disposition hearing was held to the date the court terminated their jurisdiction for both FTDC and control cases.

The same proportion of families have been reunified in FTDC and control group cases. See Figure 2 for the case status for FTDC and control cases. Of the 190 FTDC cases, the children had been reunified with at least one parent in 83 (43.7%) families. Of the 44 control cases,

Figure 1. Case progression for all closed cases for the FTDC and control group cases.
* $p < .05$.

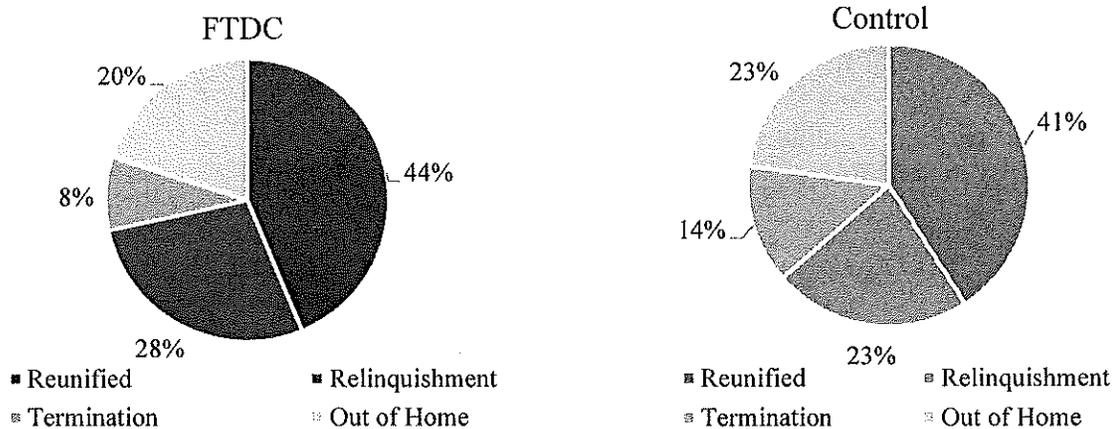


Figure 2. Case outcomes for FTDC ($n = 190$) and control group ($n = 44$) cases.

the children had been reunified with at least one parent in 18 (40.9%) families. Although children reunified with their parents in the same number of days following the petition, **cases closed in fewer days following reunification for FTDC as compared to control group cases.** See Figure 3 for the average number of days between significant case milestones for FTDC and control cases in which the child(ren) have reunified with at least one parent. The average number of days from petition to reunification was the same for FTDC and control group cases, $F(1, 95) = 1.1, p > .05$. From date of disposition, the average number of days to reunification was also the same for FTDC and control group cases, $F(1, 95) = 0.1, p > .05$.

Of the families in which children have been reunified with at least one parent, 74 (89.2%) FTDC and 16 (88.9%) control group cases have closed. **Importantly, FTDC cases closed in fewer days following the petition, disposition, and reunification than control group cases.** The average number of days from petition to case closure was significantly shorter for FTDC than the control group, $F(1, 87) = 9.6, p < .01$. The number days from disposition to case closure was also significantly shorter for FTDC cases than the control group, $F(1, 85) = 7.03, p < .01$. Finally, the average number of days from reunification to case closure was significantly fewer for FTDC than the control group, $F(1, 85) = 6.9, p < .01$. **For successful families, more frequent contacts with the court provides the professionals with more confidence in sending children home and keeping children in their homes, which enables the FTDC team to close cases in fewer days.**

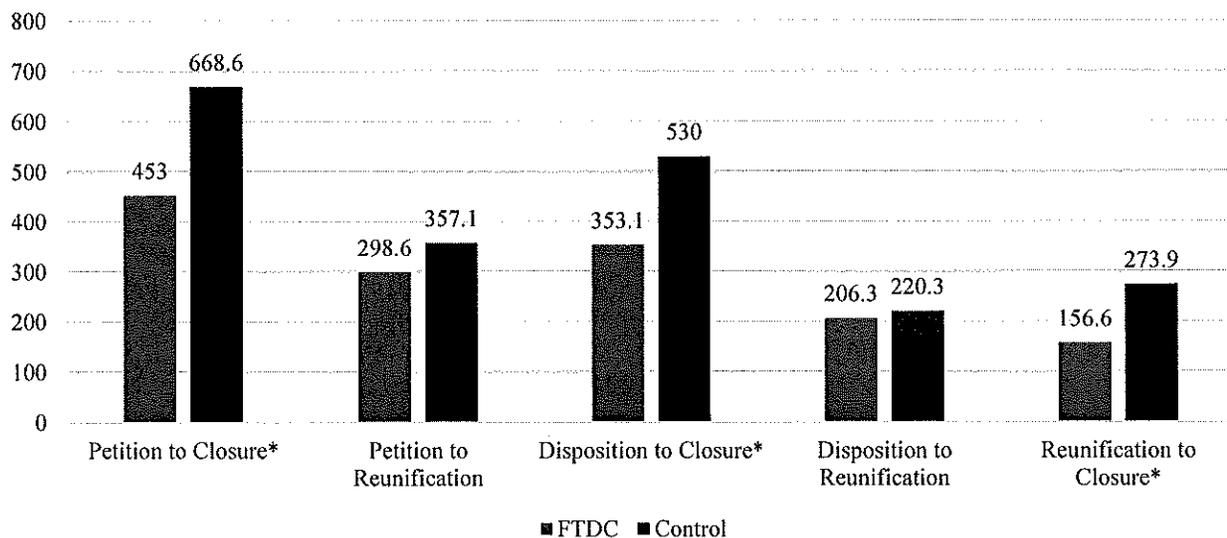


Figure 3. Case progression for reunified cases for the FTDC and control group cases.

* $p < .05$.

The same proportion of FTDC and control group cases resulted in termination or relinquishment of parental rights. Sixty-nine (36.3%) FTDC cases and 16 (36.4%) control group cases resulted in at least one parent's rights terminated. Similarly, the State filed the same number of Motions to Terminate Parental rights for cases in both groups, including 47 (24.7%) Motions in FTDC cases and 11 (25.0%) in Motions in control cases. The groups also ended with the same number of terminations of parental rights in a formal trial and parents' voluntary

relinquishment of their rights. At least one parent relinquished their parental rights in 53 (27.9%) FTDC cases and 10 (22.7%) control group cases. And the court terminated the parental rights at least one parent following a trial in 16 (8.4%) FTDC cases and 6 (13.6%) control group cases. See Figure 2 for a graphical depiction of the case status for FTDC and control cases.

FTDC cases achieve permanency through termination of parental rights and adoption in fewer days than control group cases. Professionals report that this is because the more frequent contacts required by the FTDC court process enable them to be more certain about the parents' ability to make progress toward the rehabilitation plan. For cases in which at least one parent's parental rights were terminated by the court following a trial, the Motion to Terminate Parental Rights was filed in significantly fewer days for those on FTDC as compared to the control group cases, $F(1, 19) = 7.5, p < .05$. Motions to Terminate Parental Rights were also filed in descriptively fewer days for FTDC cases, $F(1, 44) = 1.2, p > .05$. Professionals were prepared to progress toward ultimate outcomes in cases in which they had more contacts with the parents, as demonstrated by their willingness to ask for consideration of those outcomes in fewer days.

Further, FTDC cases close through adoption in fewer days following relinquishment and termination of parental rights. For cases in which a parent relinquished their parental rights, FTDC cases close in significantly fewer days following relinquishment than control group cases, $F(1, 51) = 10.2, p < .01$. See Figure 4 for case progression means in which at least one parent relinquished their parental rights. Similarly, FTDC cases close in descriptively fewer days following a trial to terminate parental rights than control group cases, $F(1, 15) = 4.0, p > .05$. See Figure 5 for case progression means for cases in which at least one parent has lost their parental rights through court order following a trial.

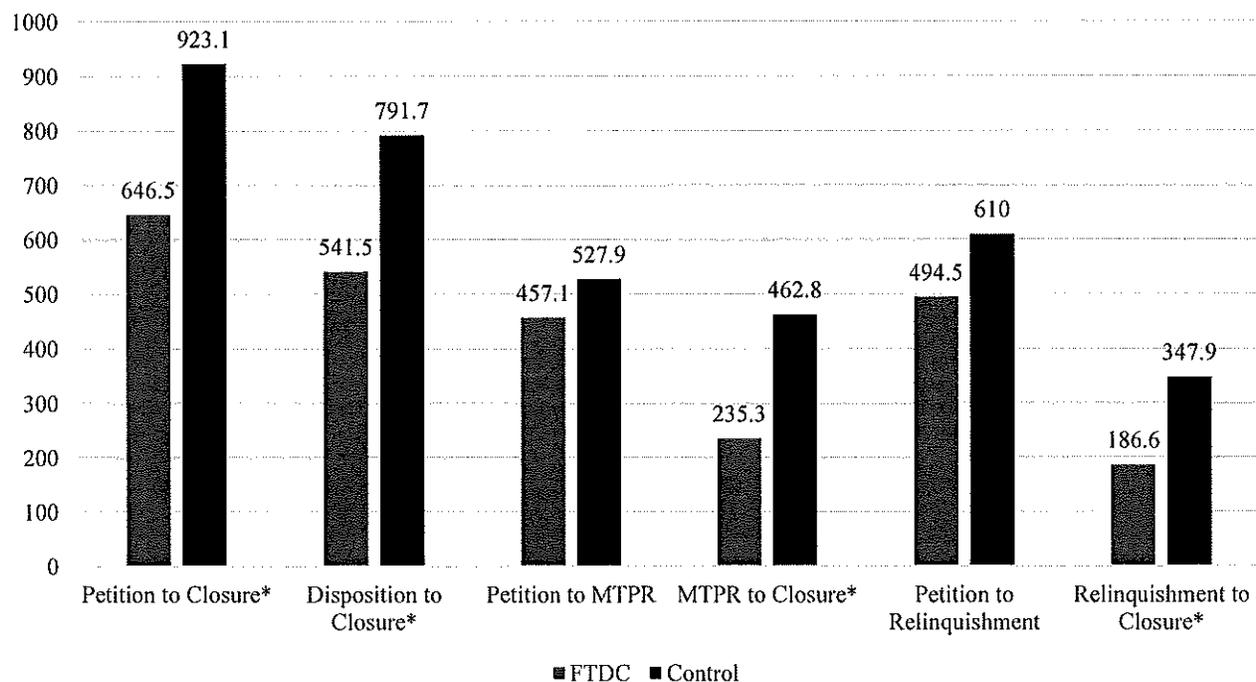


Figure 4. Case progression for cases in which at least one parent *relinquished* their parental rights for the FTDC and control group cases.

* $p < .05$, MTPR = Motion to Termination Parental Rights

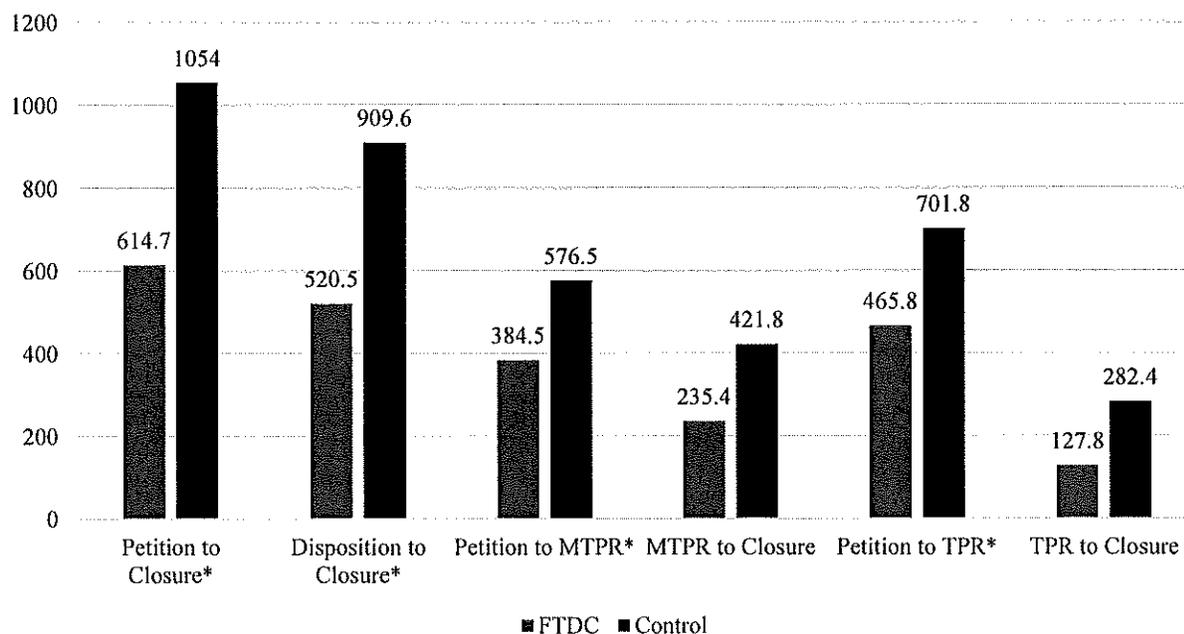


Figure 5. Case progression for cases in which at least one parent's parental rights were terminated following trial for the FTDC and control group cases.

* $p < .05$, MTPR = Motion to Termination Parental Rights, TPR = Termination of Parental Rights

Parent perceptions of the court process

The NRPVYC evaluation team has attempted 325 interviews with FTDC ($n = 282$) and control ($n = 43$) parents. NRPVYC evaluators began tracking declined interviews in Fall 2016 and do not have data on declined interviews before then. Parents have declined 41 (20.0%, based on 205 total interviews since Fall 2016) interviews. FTDC Track parents have declined 32 (18.2%, based on 176 FTDC interviews since Fall 2016) interviews and control parents have declined 9 (31.0%, based on 29 control interviews since Fall 2016) interviews.

See Table 2 and Figure 6 for the mean responses to the eleven statements and significance tests. FTDC parents had generally positive perceptions: 92.2% agreed that they can be honest at team meetings, 85.2% agreed they are comfortable speaking at family team meetings, 78.7% agreed that the process of getting their children back is fair, and 76.2% agreed that they had a say in the decision that affect them and their children. The control parents had more mixed results, some similar to the FTDC but with important differences: 92.8% agreed that they can be honest at team meetings, 82.2% agreed they are comfortable speaking at family team meetings, 57.1% agreed that the process of getting their children back is fair, and 57.1% agreed that they had a say in the decision that affect them and their children.

NRPVYC evaluators ran a series of statistical tests to determine if FTDC and control parents had different perceptions of the court process than control group parents which are depicted in Table 2 and Figure 6. **FTDC parents had significantly more positive perceptions of the court process on several items.** FTDC parents perceived the court process as more fair than control

parents. FTDC parents agreed more strongly that their voice was heard in team meetings than control parents. FTDC parents agreed more strongly that they had a say in the decisions that affected them and their children than did control parents. FTDC parents believed they received praise from their case manager and the judge when they made progress towards their goals more so than control parents believed. FTDC parents also reported feeling that they could go to their case manager with concerns about their ability to meet their goals more so than did control parents.

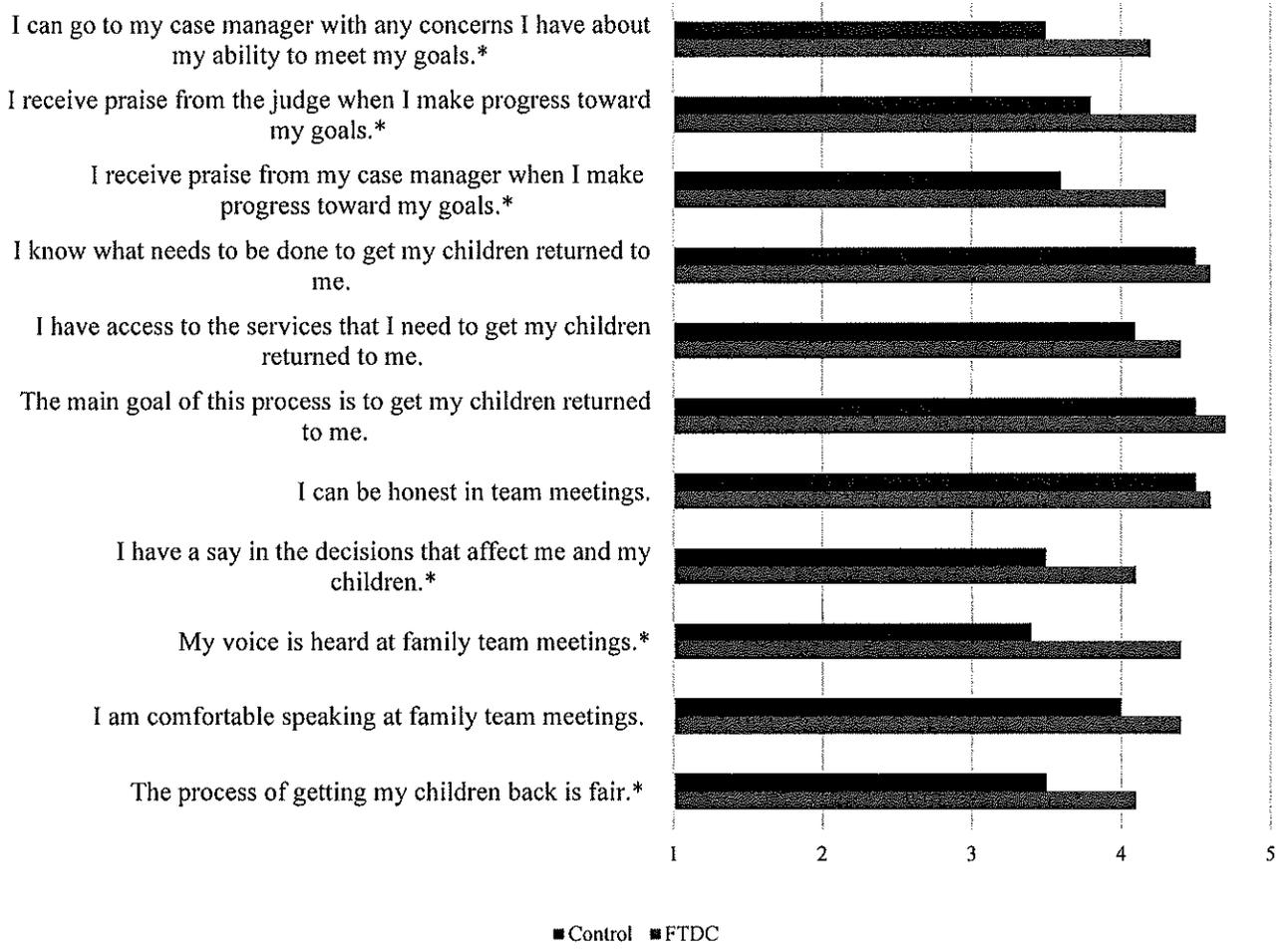


Figure 6. FTDC and control parent mean perceptions of the court process.

* p < .05.

FTDC and control parents agreed that they felt comfortable speaking and being honest in team meetings. Additionally, they both also agreed that the main goal of the process is to get their children returned to them, that they know what they need to do to get their children returned to them, and that they have access to the services they need to achieve that goal. Although none of the mean differences were significant, the **FTDC parents consistently agreed more strongly than did control parents. Overall, FTDC parents felt they were more heard by the court and that they received more praise from the judge and their caseworkers than control group parents.**

Conclusions

The Lancaster County FTDC is an alternative court process for the rehabilitation of parents responsible for child abuse or neglect due to substance use. The FTDC is distinguished from the traditional juvenile court by five characteristics: 90-day review hearings, monthly family team meetings, specialized case workers, trauma informed services, and a reward structure for successes. **Over the last five years the Nebraska Resource Project for Vulnerable Young Children evaluation has demonstrated that families on the FTDC proceed through the court process more quickly, through both reunification and termination of parental rights, and that parents experience the court process as significantly more fair than other parents.** These findings are consistent with a vast literature that demonstrates adult criminal and family drug courts are more successful than traditional court processes because the judge and other professionals get to know the participants in more frequent and substantive meetings, the parties tailor the services to the participants needs, and because the participants feel they have a say in the decisions that are made about them (see, Fessinger, Hazen, Bahm, Cole-Mossman, Heideman, & Brank, 2019; Gifford, Eldred, Vernerey, & Sloan, 2014; Kaiser & Holtfreter, 2016).

Alternative courts, such as the FTDC, require more time on the court's calendar than do traditional dependency court cases because of the more frequent team meetings and review hearings, which are essential to ensure the design of such courts. Family team meetings allow the parties, including the judge, to get regular updates on the parents' progress toward their case goals as well as identify and address the barriers to progress. Additionally, the meetings ensure the parents have a voice in the court process by getting their input on the decisions made about them informally. Finally, during these meetings the parents meet with the judge for even a few minutes. During these interactions the judge gets an update directly from the parents and asks them if they are need anything. Additionally, the judge praises the parents and offers encouragements when appropriate. Our evaluation demonstrates that these meetings and interactions improve the parents' experiences with the court which directly predicts whether parents will engage in rehabilitation plan. The findings of our evaluations, recently published in the *Journal of Experimental Criminology* demonstrated that FTDC children are more likely reunify with their parents because they experience the court process as more fair and therefore participate in services more consistently on average (Fessinger et al., 2019). The FTDC requires more resources from the court immediately (such as time on the Judge's docket), however, in the long term, families on the drug court feel more heard by the court and participate more consistently in services which results in the cases closing in fewer days.

Table 1. Mean difference significance testing for case progression (Control group $n = 44$; All FTDC Track $n = 190$).

		Closed Cases			Reunification			Voluntary Relinquishment			Termination of Parental Rights		
		<i>N</i>	<i>M (SD)</i>	<i>F (df)</i>	<i>N</i>	<i>M (SD)</i>	<i>F (df)</i>	<i>N</i>	<i>M (SD)</i>	<i>F (df)</i>	<i>N</i>	<i>M (SD)</i>	<i>F (df)</i>
Petition to Case Closure	Control	33	678.7 (313.4)	12.9 (1, 167)***	15	668.6 (337.4)	9.6 (1, 87)**	9	923.1 (309.5)	13.0 (1, 53)***	5	1054.0 (373.6)	13.7 (1, 17)**
	FTDC	136	507.0 (227.6)		74	453.0 (223.8)		46	646.5 (187.9)		14	614.7 (158.1)	
Disposition to Case Closure	Control	33	539.7 (306.4)	7.4 (1, 163)**	15	530.0 (320.0)	7.03 (1, 85)**	9	791.7 (278.1)	10.6 (1, 53)**	5	909.6 (351.6)	11.5 (1, 17)**
	FTDC	132	413.2 (219.6)		72	353.1 (214.2)		46	541.5 (196.5)		14	520.5 (160.0)	
Petition to Reunification	Control	15	394.7 (234.1)	2.3 (1, 86)	18	357.1 (232.3)	1.1 (1, 95)	4	596.3 (275.4)	3.4 (1, 6)	-	-	-
	FTDC	73	304.3 (207.8)		79	298.6 (204.9)		4	277.3 (206.9)		-	-	-
Reunification to Case Closure	Control	15	273.9 (253.0)	7.2 (1, 86)**	15	273.9 (253.0)	6.9 (1, 85)**	4	449.3 (385.5)	0.0 (1, 5)	-	-	-
	FTDC	73	155.0 (130.1)		72	156.6 (130.3)		3	465.7 (325.6)		-	-	-
Petition to MTPR	Control	10	518.5 (235.6)	2.9 (1, 48)	5	439.2 (238.8)	0.0 (1, 8)	7	527.9 (171.1)	1.2 (1, 44)	6	576.5 (229.1)	7.5 (1, 19)*
	FTDC	40	425.7 (127.7)		5	436.6 (45.7)		39	457.1 (158.2)		15	384.5 (98.5)	
MTPR to Case Closure	Control	10	423.3 (251.3)	14.9 (1, 48)***	5	488.0 (322.8)	2.1 (1, 7)	6	462.8 (293.1)	13.2 (1, 38)***	5	421.8 (349.8)	3.5 (1, 17)
	FTDC	40	233.4 (95.9)		4	247.0 (61.3)		34	235.3 (100.0)		14	235.4 (100.5)	
Petition to Relinquishment	Control	8	610.0 (136.4)	7.3 (1, 51)**	4	587.5 (120.9)	1.2 (1, 6)	8	610.0 (136.3)	3.0 (1, 58)	2	777.5 (96.9)	3.5 (1, 10)
	FTDC	45	459.0 (146.6)		4	509.0 (80.5)		52	494.5 (181.7)		10	499.5 (198.9)	
Relinquishment to Case Closure	Control	8	347.9 (257.2)	10.2 (1, 51)**	4	458.0 (314.4)	0.8 (1, 5)	8	347.9 (257.2)	10.2 (1, 51)**	2	545.0 (540.2)	4.0 (1, 9)
	FTDC	45	186.6 (97.5)		3	273.3 (167.8)		45	186.6 (97.5)		9	204.0 (102.3)	
Petition to TPR	Control	5	771.6 (224.0)	10.3 (1, 15)**	-	-	-	3	722.3 (320.8)	2.8 (1, 10)	6	701.8 (263.4)	6.6 (1, 18)*
	FTDC	12	481.7 (144.6)		-	-	-	9	510.7 (136.4)		14	465.8 (149.4)	
TPR to Case Closure	Control	5	282.4 (261.9)	4.0 (1, 15)	-	-	-	2	395.5 (408.0)	4.2 (1, 8)	5	282.4 (261.9)	4.0 (1, 15)
	FTDC	12	127.8 (61.5)		-	-	-	8	143.3 (64.8)		12	127.8 (61.5)	

Note: TPR = Termination of Parental Rights. The mean of one group is considered significantly different from the mean of another if the means are outside the standard deviations of each other. P-values tell scientists how certain they can be about the presence of a difference between groups. Social scientists use p-value less than .05 as the cut-off for statistical significance – meaning that social scientists are comfortable stating two means are different when we are 95% certain. $P = .05$ indicates we are 95% certain the groups are different, $P = .01$ means we are 99% certain, and $P = .001$ means we are 99.9% certain there is a difference between the group's means. *** $p < .001$, ** $p < .01$, * $p < .05$

Table 2. Univariate Analyses of Variance (ANOVA) comparing FTDC and control parents' perceptions of the court process at most recent interview (FTDC: $n = 155$; control: $n = 28$).

Item	FTDC Mean (SD)	Control Mean (SD)	DF	F	<i>p</i>
The process of getting my children back is fair.	4.1 (1.2)	3.5 (1.5)	1, 181	5.8	.02*
I am comfortable speaking at family team meetings.	4.4 (1.0)	4.0 (1.1)	1, 181	2.5	.11
My voice is heard at family team meetings.	4.4 (0.9)	3.4 (1.3)	1, 180	22.4	<.00*
I have a say in the decisions that affect me and my children.	4.1 (1.1)	3.5 (1.5)	1, 181	4.8	.03*
I can be honest in team meetings.	4.6 (0.7)	4.5 (0.9)	1, 181	0.6	.42
The main goal of this process is to get my children returned to me.	4.7 (0.7)	4.5 (1.0)	1, 181	1.5	.23
I have access to the services that I need to get my children returned to me.	4.4 (1.0)	4.1 (1.3)	1, 181	2.3	.13
I know what needs to be done to get my children returned to me.	4.6 (0.8)	4.5 (0.8)	1, 181	.79	.38
I receive praise from my case manager when I make progress toward my goals.	4.3 (1.2)	3.6 (1.4)	1, 181	5.9	.02*
I receive praise from the judge when I make progress toward my goals.	4.5 (1.0)	3.8 (1.2)	1, 181	13.8	<.00*
I can go to my case manager with any concerns I have about my ability to meet my goals.	4.2 (1.2)	3.5 (1.5)	1, 181	6.4	.01*

Note. The mean of one group is considered significantly different from the mean of another if the means are outside the standard deviations of each other. P-values tell scientists how certain they can be about the presence of a different between groups. Social scientists use p-value less than .05 as the cut-off for statistical significance – meaning that social scientists are comfortable stating two means are different when we are 95% certain. $p = .05$ indicates we are 95% certain the groups are different. * Significant at the $p < .05$ level

Family Treatment Drug Court Track: 2018 Annual Report



NEBRASKA RESOURCE PROJECT
FOR VULNERABLE YOUNG CHILDREN



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**Lancaster County Family Treatment Drug Court Track
2018 Evaluation Report**
Nebraska Resource Project for Vulnerable Young Children

A. Introduction and Description of Program

The Lancaster County Family Treatment Drug Court (FTDC) Track began in January 2014. As of July 30, 2018, records indicated that **157 families** have been involved with FTDC Track and **31 families** have been identified for a comparison group. Cases with a petition alleging substance abuse are assigned to Judge Heideman's court except for cases where the family had a previous case with a different judge. Cases can also transfer from other Lancaster County juvenile court judges when substance abuse issues are revealed later in the case. Families begin the FTDC Track after disposition when they are assigned a case manager who primarily works with families on the FTDC Track. Court orders often include particular services, such as utilizing a call-in drug testing service. In addition, families participate in a monthly Family Team Meeting with the families, case managers, attorneys, service providers, and supports. Judge Heideman also participates in each team meeting.

The following evaluation report will provide a summary of FTDC Track families' experiences with the court and will (where applicable) compare their experiences to families who were not on the FTDC Track. As of July 30, 2018, **96 cases** on the track have been closed. The average time to case closure was 495.2 days (range: 66 - 1090). Children were **reunited with their parents in 72 families**, parents voluntarily relinquished their parental rights in 40 families, and parental rights were terminated in 11 families. Parents generally felt that **their voice was heard** from the members of the Family Treatment Drug Court Track team and that they had a say in the decisions that affected them and their children. Nine out of ten parents recognized that the main goal of the program was to have their children returned to them, and three out of four parents said that the process was fair.

B. Evaluation Purpose and Design

The Nebraska Resource Project for Vulnerable Young Children (NRPVYC) at the University of Nebraska - Lincoln's Center on Children, Families, and the Law is conducting an ongoing two-part evaluation of the FTDC. The purpose of this evaluation is to (1) evaluate the implementation of the FTDC Track and (2) examine the effectiveness of the FTDC Track. To conduct this evaluation, the NRPVYC evaluation team surveys the case managers working on the FTDC Track, reviews case files, reviews Family Team Meeting forms, and interviews parents about their experiences with the court.

a. Case Manager Survey

Case managers assigned to work on the FTDC Track received an online survey about their perceptions of and experiences with FTDC Track families in **July 2014, June 2015, June 2016, July 2017, and July, 2018**. Four case managers responded in July 2014 and June 2015. Five case managers responded in June 2016. Eight case managers responded in July 2017. Nine case managers responded in July, 2018. The Department of Health and Human Services assigned a

second case manager team to the FTDC Track in the fall of 2016. The case managers reported why they were interested in working on the FTDC Track, their training to work with families who have problems with substance abuse, and how they felt about working on the FTDC Track. To protect case manager confidentiality, the findings will only be presented in summary form.

b. Case File Reviews

The NRPVYC evaluation team utilized **JUSTICE**, Nebraska's judicial system online case management system, to collect case progression data and information about individual cases (e.g., court dates, time to case closure). In addition, all court reports and exhibits included in the case file were examined to get a complete picture of each case.

c. Family Team Meeting Forms

In spring of 2014, the NRPVYC team worked in collaboration with Judge Heideman and the FTDC Track case managers to develop a form to help facilitate the Family Team Meetings. The form allows case managers to consolidate information about the family and to make sure they include all relevant issues in each team meeting. The form includes information about the parents' self-reported sobriety date, drug and alcohol testing, substance abuse treatment and therapy, other interventions, and parent and child functioning. The form also includes a section for notes from the meeting. The form was last updated with input from the case managers and Judge Heideman in June 2014.

The family team meeting form also allows the evaluation team to track FTDC Track families' progress toward case closure. NRPVYC evaluators collected data from the Family Team Meeting forms in November 2014, June 2015, and July 2017. Due to insufficient data for 2016 and 2018, this portion of the evaluation was not updated for the current report.

d. Parent Interviews

The NRPVYC evaluation team **interviews** parents involved with the FTDC Track following family team meetings. Additionally, the evaluation team also interviews parents who are involved with a child abuse and neglect case in Judge Heideman's courtroom but who are not involved with the FTDC Track following review hearings (hereinafter, "control parents").

The interviews lasted approximately 2-5 minutes. Interviewers approached parents and asked if they had a few minutes to talk about their experiences with the court. Interviewers explained they were assisting Judge Heideman in implementing and evaluating the court and that Judge Heideman would appreciate hearing from parents. Interviewers also told parents that their responses would never be shared with Judge Heideman or any other person outside of the evaluation team; the responses would only be aggregated and shared in summary form.

Parents who consented to participate completed a form with eleven questions about their experiences. The questions asked whether they thought the process was fair and how much say they had in the process. Parents also answered questions about their relationship with Judge Heideman and their case manager. Each question was answered on a scale of 1 (*strongly disagree*) to 5 (*strongly agree*). Parents could skip questions if they did not feel comfortable answering and also had the opportunity to provide comments and questions about the court at the bottom of the form.

The **goal** of the interview was to establish parents' perceptions of the FTDC Track and to compare their perceptions to parents who were not on the FTDC Track. We aimed to interview parents at least three times throughout their case: once at the beginning of their case, once in the middle, and once near the end. We had some difficulty getting multiple interviews at each time point due to parents not attending meetings, declining to participate, or scheduling issues with the interviewers.

C. Updated Findings

a. Case Manager Survey

The following results are presented in aggregate or general form to protect confidentiality. No comments are included to avoid sharing any identifying information. Due to the small sample size, it was not possible to compare case managers' responses at Time 1 (July 2014) with responses at Time 2 (June 2015), Time 3 (June 2016), and Time 4 (July 2017). We

Four case managers responded at Time 1, **five** responded at Time 2, **five** responded at Time 3, **eight** responded at Time 4, and **nine** responded at Time 5. Case managers reported being interested in working with families on the FTDC Track due to passion for working with the particular population, experiences with working with families with substance abuse issues, personal background, satisfaction with the work they have done on the FTDC Track and with the families, the structure and accountability of the FTDC, and the team approach of the FTDC. Case managers also reported a variety of trainings, including on the job trainings, formal education, conferences, and work experience. Overall, case managers reported feeling well-prepared to work with families with a history of substance abuse and confident in their knowledge of services and resources.

When asked about stress resulting from working with families on the FTDC Track, case managers reported experiencing a **"little bit of stress"** (44.4%) or a **"moderate" amount of stress** (44.4%) at **Time 4**. Case managers did not agree about how stressful working with FTDC Track families was in comparison to working with non-FTDC Track families as evidenced by 11.1% of case managers reporting that working with families on the FTDC Track makes them feel **more stressed**. Additionally, 44.4% of case managers reported that working with families on the FTDC Track made them feel **slightly less stressed**, and 44.4% reported **no difference** in the stress levels. Case managers thought working with the FTDC Track would make their life a little bit easier: 33.3% of case managers stated that working on the FTDC Track made their **job a little bit more difficult**, 55.6% stated the Track makes their **job a little bit or much easier**, and 11.1% stated the FTDC Track makes **no difference**.

The results of Time 5 appear to be slightly different from the responses at time 1, 2, 3 or 4. More case managers reported feeling a little bit of stress at Time 5 as compared to previous reporting periods. This result is further demonstrated by most of the case managers feeling FTDC cases are not different from control cases or being slightly less stressful than control cases. Finally, most case managers reported feeling the track made their job easier. Case managers pointed to structural factors to explain why things feel better on the FTDC Track. They noted the monthly team meetings scheduled through the court makes it easier to track families, work as a team, and feel

supported by the other parties. Additionally, case managers liked that the FTDC had clear expectations for parents and parties.

These results indicate that case managers felt a little bit of stress from working with families on the FTDC Track and that the team environment made them feel supported and helped them manage the stress. Case managers reported feeling moderately to very accountable to their families. Additionally, one noted that they felt pressure from other parties, including attorneys. Case managers also stated that the monthly team meetings made them feel more accountable for their actions and makes their job easier, especially because Judge Heideman attends each meeting. They reported that these meetings keep people engaged in the cases and provides a structure for accountability and clear expectations for the families. The team environment keeps the judge, attorneys, and clients actively involved and on the same page. Case managers emphasized that the team-oriented nature of the FTDC court made their job easier and less stressful.

To better help case managers deal with the stress of working with this population, Jennie Cole-Mossman, of the NRPVYC team, engaged in group reflective consultation. Reflective consultation, including some clinical consultation on young child cases, was the chosen method due to the high stress of the caseloads. This type of consultation helped the case managers process their feelings and beliefs about specific cases or their work in general. Through consultation, the case managers applied new insight to their case decision-making. The case managers were also encouraged to find ways to engage in self-care.

b. Case File Reviews

Family Demographics

The NRPVYC evaluation team reviewed the case files of **188 families** involved with the child dependency court through the FTDC Track ($n = 157$) and the comparison group ($n = 31$). This accounted for **367 total children** (average age = 5.1 years). Two-hundred and twelve children were identified as White (57.8%), 45 were identified as Black or African American (12.3%), 45 were identified as American Indian or Alaska Native (12.3%), 18 were identified as mixed race (4.9%), 18 were identified as Hispanic (4.9%), and 2 were identified as Asian or Pacific Islander (0.5%). The race of 20 children was unknown (5.4%). There was a **father** involved in 110 FTDC families (70.1%) and 18 control group cases (58.1%). Fifteen (9.6%) FTDC cases and 2 (6.5%) control cases were listed as an ICWA case.

Engagement in Services

The most recent court order and case plan were referenced to gather information about the family's engagement in services. Three services (Circle of Security, Child Parent Psychotherapy, and Parent Partner) were specifically examined. According to the **FTDC** court orders, 29 mothers (18.5%) and 13 fathers (11.8%) were ordered to engage in **Circle of Security**. Seventy mothers (44.6%) and 30 fathers (27.3%) ordered to engage in **Child Parent Dyadic Assessment**. Fifty-one (32.5%) mothers and 22 fathers (20.0%) order to participate in **Child Parent Psychotherapy (CPP)**. Sixty mothers (38.2%) and 16 fathers (14.5%) are ordered to work with a **Parent Partner**. Thirty-seven mothers (60.6%) and 18 fathers (16.4%) had **visitation** that was supervised, four mothers (6.6%) and five fathers (8.2%) had visitation that was monitored, and three mothers (3.3%) and no fathers had drop-ins. The remaining families no longer had visitation because visitation was suspended

(mothers: $n = 5$, 8.2%; fathers: $n = 8$, 7.3%), the children were returned to the parents, or because the case was closed.

According to the **control group** court orders, five mothers (16.1%) and four fathers (12.9%) were ordered to engage in **Circle of Security**. Six mothers (19.4%) and four fathers (12.9%) ordered to engage in **Child Parent Dyadic Assessment**, resulting in seven (22.6%) mothers and three fathers (9.7%) order to participate in **Child Parent Psychotherapy (CPP)**. Thirteen mothers (41.9%) and 5 fathers (16.1%) are ordered to work with a **Parent Partner**. Two mothers (18.2%) and two fathers (18.2%) had **visitation** that was supervised, one mother (9.1%) and no fathers had visitation that was monitored, and no mothers and no fathers had drop-ins. The remaining families no longer had visitation because visitation was suspended (mothers: $n = 7$, 63.6%; fathers: $n = 2$, 18.2%), the children were returned to the parents, or because the case was closed.

The case plan and court report indicated that 39 **FTDC** mothers (24.8%) and 19 **FTDC** fathers (17.3%) had **successfully completed substance abuse treatment**. At the time of the review of the case plan and court report, four mothers (4.5%) and no fathers were in **residential treatment**, 7 mothers (4.5%) and 4 fathers (3.6%) were receiving **IOP**, and 22 mothers (14.0%) and 7 fathers (6.4%) were receiving **outpatient treatment**. Fifty-three mothers (33.8%) and 19 fathers (17.3%) were not compliant with substance abuse treatment in the last reporting period. Twenty-eight mothers (17.8%) and 21 fathers (19.1%) were noncompliant with drug testing during the most recent reporting period. Forty-four mothers (22.9%) and 17 fathers (15.5%) missed at least one **UA** in the reporting period. Thirty-one mothers (33.8%) and 14 fathers (12.7%) had at least one **positive UA** in that time period.

The case plan and court report indicated that no **control** parents are currently in residential substance abuse treatment or **IOP**. At the time of the review of the case plan and court report, two mothers (6.5%) **successfully completed substance abuse treatment**. One (3.2%) mother was receiving **outpatient treatment**. Five mothers (16.1%) and 1 father (3.2%) were not compliant with recommended substance abuse treatment. Additionally, 3 mothers (9.7%) and 2 fathers (6.5%) were not compliant with drug testing in the last reporting period. One mother (3.2%) and no fathers missed at least one **UA** in the reporting period prior to the case plan and at least one **positive UA** in that time period.

Case Outcome and Progression

FTDC Cases

Cases had been **closed** for 96 (61.1%) **FTDC** families. The average number of days from petition to case closure was 495.2 ($SD = 227.3$, median = 486.0 days). From date of disposition and when the case was placed on the **FTDC** track, the average time to case closure was 389.0 days ($SD = 223.6$, median = 368.0 days).

Of the 156 cases, the children had been **reunified** with at least one parent in 72 (45.9%) families. The average number of days from petition to reunification was 286.7 days ($SD = 201.3$, median = 224 days). From date of disposition, the average number of days to reunification with at least one parent was 181.9 days ($SD = 190.0$, median = 118 days). Of the families in which children have been reunified with at least 1 parent, **56 (77.8%) had been closed**. The average number of days from petition to case closure was 440.4 ($SD = 229.0$, median = 341.5 days), from disposition to

case closure was 329.7 ($SD = 213.8$, median = 247.0 days), and from reunification to case closure was 148.4 ($SD = 118.5$, median = 114 days).

Due to the nature of the cases that come before the FTDC, some recidivism is expected. Of the 56 successful reunifications with case closures, 5 (8.9%) families had reentered the FTDC on a new petition with the same children.

Parents lost their parental rights in 41 (26.1%) cases. The State filed a **motion to terminate parental rights** in 42 (26.8%) total cases. The average number of days from petition to MTPR was 454.7 ($SD = 156.7$, median = 470.5 days). The average number of days from disposition to MTPR was 352.3 ($SD = 149.8$, median = 363 days). The average number of days from MTPR to case closure was 231.9 ($SD = 83.5$, median = 220 days).

At least one parent **relinquished** their parental rights in 40 (25.5%) cases. Of these cases, 29 (72.5%) of them were cases in which a motion to terminate parental rights, and 11 (27.5%) parents relinquished their parental rights without a motion to terminate. The average number of days from petition to voluntary relinquishment was 483.0 ($SD = 164.4$, median = 488 days); the average days from disposition to relinquishment was 373.2 ($SD = 167.8$, median = 388.5). The average number of days from motion to terminate parental rights to relinquishment was 58.4 ($SD = 32.2$, median = 53 days) and from relinquishment to case closure (in 30 cases) was 182.1 ($SD = 85.1$, median = 162 days).

At least one parent's rights were **terminated** in 11 (7.0%) cases. See **Table 1** for the petition, disposition, and termination dates for each case. The average number of days from petition to TPR was 473.3 ($SD = 112.6$, median = 503.5 days), from disposition to TPR was 372.3 ($SD = 112.1$, median = 400.5 days), and from TPR to case closure is 123.3 ($SD = 68.9$, median = 113 days).

Lancaster County Separate Juvenile Court jurisdiction was terminated in **one** case after it was **transferred** to Douglas County Juvenile Court.

Control Cases

The case had been **closed** for 20 (64.5%) **control group** families. The average number of days from petition to case closure was 708.9 ($SD = 359.1$, median = 628.5 days). From date of disposition the average time to case closure was 572.6 days ($SD = 345.9$, median = 510 days).

Of the 31 cases, the children had been **reunified** with at least one parent in 14 (45.2%) families. The average number of days from petition to reunification was 381.9 days ($SD = 237.8$, median = 322.5 days). From date of disposition, the average number of days to reunification with at least one parent was 250.3 days ($SD = 223.4$, median = 192 days). Of the families in which children have been reunified with at least 1 parent, **10 (71.4%) have closed**. The average number of days from petition to case closure was 726.9 ($SD = 385.4$, median = 595 days), from disposition to case closure was 595.0 ($SD = 355.5$, median = 484 days), and from reunification to case closure was 303.6 ($SD = 286.2$, median = 260 days).

Table 1. Time to termination of parental rights for FTDC cases.

Case	Petition Date	Disposition Date	TPR Date
Case 1	12/10/13	3/10/14	2/25/15
Case 2	2/27/14	6/4/14	9/22/15
Case 3	12/09/13	4/04/14	12/16/14
Case 4	5/8/14	9/19/14	10/28/15
Case 5	10/12/15	1/13/16	<i>missing data</i>
Case 6	1/14/16	4/12/16	5/25/17
Case 7	6/8/16	8/10/16	1/18/18
Case 8	6/15/16	10/4/16	1/24/18
Case 9	8/31/16	12/22/16	1/23/18
Case 10	1/12/17	3/10/17	9/15/17
Case 11	1/19/17	6/7/17	2/2/18

Note. TPR = Termination of Parental Rights.

Parents lost their parental rights in **14** (45.2%) cases. The State filed a **motion to terminate parental rights** in **10** (32.3%) cases. The average number of days from petition to MTPR was 518.5 ($SD = 235.6$, median = 535 days). The average number of days from disposition to MTPR was 382.7 ($SD = 217.6$, median = 368 days). The average number of days from MTPR to case closure was 514.3 ($SD = 269.1$, median = 497.5 days).

At least one parent **relinquished** their parental rights in **9** (29.0%) cases. Relinquishments followed a motion to terminate parental rights in 6 (66.7%) cases. The average number of days from petition to voluntary relinquishment was 610.0 ($SD = 136.4$, median = 611 days); the average days from disposition to relinquishment was 476.0 ($SD = 126.6$, median = 447.5). The average number of days from motion to terminate parental rights to relinquishment was 61.7 ($SD = 25.0$, median = 59 days) and from relinquishment to case closure (in 5 cases) was 449.2 ($SD = 285.3$, median = 429 days).

At least one parent's rights were **terminated** in **5** (16.1%) case. The average number of days from petition to TPR was 771.6 ($SD = 224.0$, median = 882) days, from disposition to TPR 627.2 ($SD = 216.6$, median = 737) days, and from TPR to case closure 395 ($SD = 408.0$, median = 395.5) days.

See **Table 2** for an overview of case progression data for both FTDC and control group cases. See **Table 3** for significance tests for mean differences of case progression across groups.

Table 2. Case progression summary (FTDC Track $n = 157$; Control group $n = 31$).

		Closed Cases Mean days (Median days)	Reunification Mean days (Median days)	Voluntary Relinquishment Mean days (Median days)	Termination of Parental Rights Mean days (Median days)
Petition to Case Closure	FTDC	495.2 (486)	440.4 (341.5)	644.8 (635)	580.4 (603)
	Control	708.9 (628.5)	726.9 (595)	1033.83 (974)	1302.5 (1302.5)
Disposition to Case Closure	FTDC	389.0 (368)	329.7 (247)	539.2 (521)	482.8 (487)
	Control	572.6 (510)	595.0 (484)	889.0 (842.5)	1163.5 (1163.5)
Petition to Reunification	FTDC	295.1 (212)	286.7 (224)	-	-
	Control	423.3 (437.5)	381.9 (322.5)	-	-
Reunification to Case Closure	FTDC	148.4 (114)	148.4 (114)	-	-
	Control	303.6 (260)	303.6 (260)	-	-
Petition to MTPR	FTDC	418.5 (437)	436.6 (427)	459.7 (480)	379.4 (378)
	Control	508.3 (591.5)	439.2 (504)	566.3 (591.5)	632.2 (626)
MTPR to Case Closure	FTDC	231.9 (220)	232.5 (232.5)	238.0 (217)	221.4 (223)
	Control	514.3 (497.5)	581.8 (497.5)	510.4 (461)	593.5 (593.5)
Petition to Relinquishment	FTDC	462.8 (447.5)	509.0 (485.5)	483.0 (488)	-
	Control	662.4 (663)	587.5 (602)	610.0 (611)	-
Relinquishment to Case Closure	FTDC	182.1 (162)	324.0 (324)	182.1 (162)	-
	Control	449.2 (429)	546.0 (429)	449.2 (429)	-
Petition to TPR	FTDC	454.4 (469.5)	497.0 (497)	-	473.3 (503.5)
	Control	907.0 (907)	758.5 (758.5)	-	771.6 (882)
TPR to Case Closure	FTDC	123.3 (113)	53.0 (53)	-	123.3 (113)
	Control	395.5 (395.5)	684.0 (684)	-	395.5 (395.5)

Note: TPR = Termination of Parental Rights.

Table 3. Mean difference significance testing for case progression (FTDC Track $n = 157$; Control group $n = 31$).

	Closed Cases F (df)	Reunification F (df)	Voluntary Relinquishment F (df)	Termination of Parental Rights F (df)
Petition to Case Closure	11.7 (1, 114)**	10.6 (1, 64)**	16.5 (1, 34)***	23.7 (1, 9)**
Disposition to Case Closure	9.0 (1, 113)**	10.4 (1, 63)**	12.8 (1, 34)**	26.5 (1,9)**
Petition to Reunification	3.0 (1, 63)	2.5 (1, 82)	-	-
Reunification to Case Closure	8.6 (1, 63)**	8.6 (1, 63)**	-	-
Petition to MTPR	1.6 (1, 30)	-	2.4 (1, 33)	11.1 (1, 14)**
MTPR to Case Closure	21.7 (1, 30)***	-	14.1 (1, 24)**	5.5 (1, 9)*
Petition to Relinquishment	8.1 (1,33)**	-	4.1 (1, 46)*	-
Relinquishment to Case Closure	18.8 (1,33)***	-	18.8 (1, 33)***	-
Petition to TPR	26.7 (1,8)**	-	-	12.2 (1, 13)**
TPR to Case Closure	4.8 (1, 8)	-	-	4.8 (1, 8)

Note: TPR = Termination of Parental Rights. The mean of one group is considered significantly different from the mean of another if the means are outside the standard deviations of each other. P-values tell scientists how certain they can be about the presence of a difference between groups. Social scientists use p-value less than .05 as the cut-off for statistical significance – meaning that social scientists are comfortable stating two means are different when we are 95% certain. $P = .05$ indicates we are 95% certain the groups are different, $P = .01$ means we are 99% certain, and $P = .001$ means we are 99.9% certain there is a difference between the group's means.

*** $p < .001$, ** $p < .01$, * $p < .05$

c. Family Team Meeting Forms

The NRPVYC evaluation team attempted to review the three most recent Family Team Meeting forms (May, June, and July 2018) for 86 families with open FTDC cases between January and July 2018. This data was not updated in 2016 due to inconsistent completion but was updated in 2017. The current review revealed that case managers are not consistently completing the Team Meeting Form. Some case managers regularly completed the Team Meeting Form, some relied on the bi-weekly update, and still others did not use a regular update. **Only 3 families (3.5%) had three Family Team Meeting forms to review.** Seven families (8.1%) only had two forms, 13 families (15.1%) only had one form, and 63 families (73.3%) had no forms at all. The data collected was from **40 total forms from 29 families (33.7%)** involved in the FTDC Track. Every form (100%) was missing at least one unit of information. It is unclear whether information was missing because it was not applicable to the case or because the form was not being completed in full. In total, there was **43% of data missing** across all questions on the forms reviewed. Due to the small portion of families that had Family Team Meeting forms for the last three months and the proportion of missing data, any information from these forms is not representative of all cases and is not interpretable.

Due to the inconsistent and missing data, we are not able to report on drug testing compliance or status updates from other services, including visitation and treatment. This makes it difficult for us to consider what is happening in cases and provide insight into the regular barriers, particularly related to come of the newer services such as reserved treatment beds, Moral Reconciliation Therapy, or transitional housing.

d. Parent Interviews

The NRPVYC evaluation team attempted 319 interviews with FTDC Track parents ($n = 263$) and control parents ($n = 39$). We accidentally interviewed 17 families who were did not face allegations of abuse and neglect. NRPVYC evaluators began tracking declined interviews in Fall 2016 and do not have data on declined interviews before then. Parents have declined 37 (18.8%, based on 197 total interviews since Fall 2016) interviews. FTDC Track parents have declined 29 (19%, based on 153 FTDC interviews since Fall 2016) interviews and control parents have declined 8 (27.6%, based on 29 control interviews since Fall 2016) interviews.

At least one parent in **113 (58%)** FTDC Track families and **25** control families participated in an interview for a total of **302 interviews** (FTDC: $n = 263$; control: $n = 39$). Mothers participated in 208 interviews (FTDC: $n = 181$; control: $n = 27$) and fathers participated in 93 interviews (FTDC: $n = 81$; control: $n = 12$). NRPVYC evaluators were able to identify the case's disposition hearing date for **296 (98.0%)** interviews. From these, the average number of days from disposition to the interview was **216.7 days** ($SD = 166.8$, range -141 – 1008, median = 186.5). FTDC families ($M = 208.2$, $SD = 151.8$) were interviewed significantly fewer days after disposition than control families ($M = 274.1$, $SD = 240.13$), $F(1, 294) = 5.3$, $p = .02$. Thirty-eight (12%) interviews were conducted fewer than 45 days from the date of disposition, indicating they were likely conducted at the family's first team meeting or review hearing. Forty-eight interviews (16%) were conducted more than a year from the date of disposition.

Fifty-seven parents (FTDC: $n = 54$; control: $n = 3$) participated in an interview at least two times. About half were interviewed three time (FTDC: $n = 26$; control: $n = 1$). There were no significant

changes in either FTDC Track or control parents' perceptions of the court process over time. Therefore, the following data is reported based on parents' responses on their *most recent* interview. This results in **167 unique interviews** (FTDC: $n = 141$; control: $n = 26$): 116 with mothers (FTDC: $n = 98$; control: $n = 18$) and 55 with fathers (FTDC: $n = 47$; control: $n = 8$). NRPVYC will continue to interview parents at multiple time points during their cases to examine how perceptions may change over time.

Table 3 depicts parents' responses on the eleven questions regarding their perceptions of the court process. FTDC parents had generally positive perceptions: 90% agreed that they can be honest at team meetings, 82.2% agreed they are comfortable speaking at family team meetings, 76% agreed that the process of getting their children back is fair, and 91% agreed that the main goal of the process was to get their children returned to them.

NRPVYC evaluators ran a series of statistical tests to determine if FTDC parents had different perceptions of the court process than control group parents which are depicted in **Tables 3 and 4**. FTDC parents had significantly **more positive perceptions** of the court process on six of the eleven items. FTDC parents perceived the court process as **more fair** than control parents. FTDC parents agreed more strongly that their **voice was heard in team meetings**. FTDC parents agreed more strongly that they **had a say in the decisions that affected** them and their children. FTDC parents believed they received **praise from their case manager and the judge** when they made progress towards their goals more so than control parents believed. FTDC parents also reported feelings that they could **go to their case manager with concerns** about their ability to meet their goals more so than did control parents.

Both FTDC parents and control parents agreed that they felt comfortable speaking and being honest in team meetings. Both FTDC parents and control parents agreed that that the main goal of the court process was to get their children returned to them, that they had access to the services they needed, and that they knew what needed to be done to get their children returned.

FTDC parents also provided various comments. **Positive comments from FTDC parents** included statements such as: "This process has helped a lot," "I appreciate the help to get myself back on the right track. For myself & children," "It took me getting sober to get where I am and appreciate the process," "Pretty fair, success is up to the individual, don't change anything," and "Going smooth!" Parents provided a few constructive comments, including: "Caseworkers act unprofessional over [ph]one and say one thing and do the opposite all the time," "I have no communication with caseworker, feel she want[s] me to fail, I have struggled to have things approved by her," and "Need more support for men."

Table 3. FTDC and control parents' perceptions of the court process at most recent interview (FTDC: *n* = 141; control: *n* = 26).

Item	Group	Strongly Disagree n (%)	Disagree n (%)	Neither n (%)	Agree n (%)	Strongly Agree n (%)	Median
The process of getting my children back is fair.	FTDC	8 (5.7%)	14 (9.9%)	12 (8.5%)	44 (31.2%)	63 (44.7%)	4
	Control	5 (19.2%)	2 (7.7%)	5 (19.2%)	6 (23.1%)	8 (30.8%)	4
I am comfortable speaking at family team meetings.	FTDC	6 (4.3%)	6 (4.3%)	13 (9.2%)	36 (25.5%)	80 (56.7%)	5
	Control	2 (7.7%)	1 (3.8%)	2 (7.7%)	12 (46.2%)	9 (34.6%)	4
My voice is heard at family team meetings.	FTDC	4 (2.8%)	2 (1.4%)	14 (9.9%)	43 (30.5%)	78 (55.3%)	5
	Control	3 (11.5%)	4 (15.4%)	6 (23.1%)	7 (26.9%)	6 (23.1%)	3.5
I have a say in the decisions that affect me and my children.	FTDC	6 (4.3%)	11 (7.8%)	19 (13.5%)	49 (34.8%)	56 (39.7%)	4
	Control	4 (15.4%)	3 (11.5%)	5 (19.2%)	5 (19.2%)	9 (34.6%)	4
I can be honest in team meetings.	FTDC	2 (1.4%)	3 (2.1%)	9 (6.4%)	37 (26.2%)	90 (63.8%)	5
	Control	1 (3.8%)	0 (0%)	0 (0%)	10 (38.5%)	15 (57.7%)	5
The main goal of this process is to get my children returned to me.	FTDC	1 (0.7%)	3 (2.1%)	9 (6.4%)	16 (11.3%)	112 (79.4%)	5
	Control	1 (3.8%)	0 (0%)	2 (7.7%)	4 (15.4%)	19 (73.1%)	5
I have access to the services that I need to get my children returned to me.	FTDC	4 (2.8%)	8 (5.7%)	10 (7.1%)	30 (21.3%)	89 (63.1%)	5
	Control	2 (7.7%)	2 (7.7%)	1 (3.8%)	8 (30.8%)	13 (50.0%)	4.5
I know what needs to be done to get my children returned to me.	FTDC	2 (1.4%)	3 (2.1%)	6 (4.3%)	26 (18.4%)	104 (73.8%)	5
	Control	0 (0%)	2 (7.7%)	1 (3.8%)	7 (26.9%)	16 (61.5%)	5
I receive praise from my case manager when I make progress toward my goals.	FTDC	12 (8.5%)	5 (3.5%)	15 (10.6%)	25 (17.7%)	84 (59.6%)	5
	Control	3 (11.5%)	4 (15.4%)	5 (19.2%)	4 (15.4%)	10 (38.5%)	4
I receive praise from the judge when I make progress toward my goals.	FTDC	7 (5.0%)	1 (0.7%)	7 (5.0%)	28 (19.9%)	98 (69.5%)	5
	Control	2 (7.7%)	1 (3.8%)	9 (34.6%)	5 (19.2%)	9 (34.6%)	4
I can go to my case manager with any concerns I have about my ability to meet my goals.	FTDC	10 (7.1%)	8 (5.7%)	20 (14.2%)	26 (18.4%)	77 (54.6%)	5
	Control	4 (15.4%)	2 (7.7%)	7 (26.9%)	4 (15.4%)	9 (34.6%)	3.5

Note. Responses ranged from 1 (strongly disagree) to 5 (strongly agree).

Table 4. Univariate Analyses of Variance (ANOVA) comparing FTDC and control parents' perceptions of the court process at most recent interview (FTDC: $n = 141$; control: $n = 26$).

Item	FTDC Mean (SD)	Control Mean (SD)	DF	F	p	η^2
The process of getting my children back is fair.	3.99 (1.20)	3.38 (1.50)	1, 165	5.17	.02*	.03
I am comfortable speaking at family team meetings.	4.26 (1.07)	3.96 (1.15)	1, 165	1.69	.20	.01
My voice is heard at family team meetings.	4.34 (.93)	3.35 (1.33)	1, 165	21.89	<.00*	.12
I have a say in the decisions that affect me and my children.	3.98 (1.11)	3.46 (1.48)	1, 165	4.26	.04*	.03
I can be honest in team meetings.	4.49 (.83)	4.46 (.86)	1, 165	0.03	.88	<.01
The main goal of this process is to get my children returned to me.	4.67 (.75)	4.54 (.95)	1, 165	.59	.45	.04
I have access to the services that I need to get my children returned to me.	4.36 (1.03)	4.08 (1.26)	1, 165	1.56	.21	.09
I know what needs to be done to get my children returned to me.	4.61 (.79)	4.42 (.90)	1, 165	1.17	.28	.07
I receive praise from my case manager when I make progress toward my goals.	4.16 (1.26)	3.54 (1.45)	1, 165	5.13	.03*	.03
I receive praise from the judge when I make progress toward my goals.	4.48 (1.00)	3.69 (1.23)	1, 165	12.79	<.00*	.07
I can go to my case manager with any concerns I have about my ability to meet my goals.	4.08 (1.25)	3.46 (1.45)	1, 165	5.09	.03*	.03

Note. The mean of one group is considered significantly different from the mean of another if the means are outside the standard deviations of each other. P-values tell scientists how certain they can be about the presence of a difference between groups. Social scientists use p-value less than .05 as the cut-off for statistical significance – meaning that social scientists are comfortable stating two means are different when we are 95% certain. $P = .05$ indicates we are 95% certain the groups are different. * Significant at the $p < .05$ level.

I. Annual Updates

The FTDC Alumni Group, which first began in February 2017, intends to provide ongoing peer support for parents who are currently on the FTDC Track and parents who have completed the FTDC Track. NRPVYC is evaluating the FTDC Alumni Group. The sample size for the 2018 Annual report was too small to draw conclusions about the impact of the Group on sobriety or parenting competence. The facilitator stepped down in mid-2018 and two co-facilitators have been selected by the advisory group. The Alumni Group resumed meeting in October of 2018. The NRPVYC Evaluation team will work closely with the new facilitator to establish data collection procedures to be able to understand the impact of the group.

A supportive housing program began in partnership with Saint Monica's in February 2018. The program provides rent assistance for mothers the FTDC for six months. The rent assistance steadily decreases from full payment of the deposit, first month rent, and application fee to 20% of the 6th month's rent. In exchange for this rent assistance, participants are required to engage in Peer Support through St. Monica's, including meeting with their Peer Support Specialist at least three times per month, actively working toward their goals, obtain full-time employment or enrollment in school, and only permit appropriate, supportive persons into the home. Additionally, the program requires mothers to comply with their court ordered rehabilitation plan.

Due to practice changes in the Nebraska Department of Health and Human Services in 2018, the number of court filings has decreased significantly for the same time last year. This practice change has resulted in fewer families receiving services through the Lancaster County Juvenile Courts and the Family Treatment Drug Court during 2018. The evaluation team will continue to monitor the changes and the impact on the implementation of the FTDC and OJJDP grant.

NRPVYC continues to work on the implementation and evaluation of the Ice Breaker Meeting program. We have held 15 total Ice Breaker Meetings and continue to face barriers to engage parents in the service. The program will end on December 31, 2018 and a final report will be written and distributed in February, 2019.

II. Conclusion

The Family Treatment Drug Court Track has been in place for approximately 57 months. Overall, parents have appeared to be engaged in the process and reported feeling as if their voice is heard. One hundred and fifty-seven families have been involved with the track; 96 cases have been completely closed, 72 of which have been reunified. Forty families have had parents voluntarily relinquish their parental rights.

On average, a case on the FTDC Track is open for 495 days (16.5 months) from petition to case closure. Cases close after successful reunification or adoption following voluntary relinquishment or termination of parental rights. On average, cases in which families reunify have closed 440 days after petition. On average, families reunified 287 days after petition. These families spent approximately two-thirds of the case time working toward reunification and a third of the case time on family preservation. Approximately half of the closed cases closed following successful reunification and family preservation. Families are being reunified in approximately **9 months** and

cases are closing in under **15 months**. Successful reunification cases are closing within the federal statutory guidelines for what would provide cause for the State to seek termination of parental rights. The Children's Bureau of the Department of Health and Human Services guidelines suggest that successful reunification should occur within 12 months of removal. The FTDC families are within those federal guidelines.

Alternatively, a motion to terminate parental rights (MTPR) began the process of relinquishment or termination of parental rights (TPR) 455 days after the petition. Approximately one-third of closed cases closed following a voluntary relinquishment of parental rights (11 of those without a Motion to Terminate Parental Rights). Voluntary relinquishments occurred 58 days after the MTPR was filed and cases closed 182 days after relinquishment, 645 days after petition.

Only 9 cases have closed following a termination of parental rights. TPRs occur on average 473 days after the petition and 93 days after the MTPR. Cases in which parental rights have been terminated close on average in 580 days. Although it took 483 days from the petition for parents to relinquish their rights and 473 days from petition for termination of parental rights, relinquishment or termination typically followed a MTPR within a few months. Further, MTPRs are being filed in approximately **15.2 months**, at the statutorily required period, and relinquishment and termination cases close in just over **21.5 months**. The Children's Bureau of the Department of Health and Human Services and Nebraska Revised Statutes provide that a child being out of home for 15 of the last 22 months since adjudication provides a reason to file a motion for termination of parental rights. Additionally, the Bureau recommends that cases ended with adoption should close within 24 months of removal. The FTDC families are at and within each of these federal guidelines, respectively.

At this time, approximately half of the cases that have been through the FTDC Track have closed following successful reunification in just over a year. The other half have closed through voluntary relinquishment or termination of parental rights following a Motion by the State in just over a year and a half. Only 5 cases have ended with a TPR. The trends suggest that it is clear to the court and the parents whether the family will be reunified within the first year for cases on the FTDC Track.

Further, the evaluation team was able to continue to identify and develop a small control group over the course of the last two years. Thirty-one families have been identified. FTDC cases close in fewer days than control cases. Specifically, FTDC cases close in fewer days following reunification, motion to terminate parental rights, and relinquishment of parental rights. Further, a motion to terminate parental rights is filed in fewer days for cases in which parental rights are terminated for FTDC cases. Parental rights were terminated in fewer days for FTDC cases. These findings support the conclusion that court professionals are able to identify cases that will not be successful more quickly than they are able to in control cases. This is likely because parents either engage in substance use treatment or do not as substance use treatment is critical to successful case closure.

This year marks a point in the program when the evaluation team has enough data to make statistically reliable comparisons between FTDC and control cases as well as conduct analyses across time. The number of closed cases exceeded the number of open cases, allowing us a more complete picture of the cases. The results demonstrate that the specialized training and support

for case managers reduces the stress of the job and in fact that the FTDC makes their job easier. The results from the surveys this year trend more positive than in past years. The FTDC seems to have become a desirable assignment for case managers as the program continues to provide training, support, and clear expectations for families. Additionally, the FTDC maintains consistent trends of successful case closure and appropriate time to permanency. We again found perceptions of the court process remained consistent for families across the life of their cases. However, FTDC parents had more positive perceptions of the court process than did control parents.

There are still barriers to successfully closing cases and assessing the crucial services and programs. Case managers reported feeling stressed and the FTDC Track may make their job more difficult; however, there is evidence that participation in reflective consultation is providing the case managers with the skills to cope with their stress and seek assistance. It is important to examine what services the families involved in the Track are receiving and whether there is anything more that could be done. However, we are unable to assess the impact of services this year due to inconsistent use of the Family Team Meeting Form. Finally, the number of cases that entered the FTDC this year is lower than it has been in past years, which may skew the representation toward mostly closed and older cases. This is out of the court's control and is due to policy decisions in the executive branch.

Future Directions and Limitations

The NRPVYC evaluation team will continue collecting data from FTDC and control parents to understand their perceptions of the court process. We have only interviewed a small sample of control parents and continue to make efforts towards having a larger comparison group. The number of parents who have completed more than one interview is limited, which inhibits our ability to determine if their perceptions change over time. Furthermore, both FTDC and control parents have mostly positive perceptions of the court process. While this is a positive reflection of Judge Heideman's courtroom in general, it limits our ability to detect differences between the FTDC Track and the non-FTDC track.

Please contact the NRPVYC evaluators, Katherine Hazen (Katherine.Hazen@unl.edu) and Matthew Carlson (mattcarlson@unl.edu), if you have any questions or comments about this evaluation.

File Explorer window showing the contents of a folder named "Exhibits". The address bar indicates the path: This PC > SHARED (\\Capitolfile\stacy\$) (N:) > JUDICIAL RESOURCES COMMISSION > (d) Annual Meeting 2019 > Exhibits.

The left pane shows a tree view of folders under "SHARED (\\Capitolfile\stacy\$) (N:)", with "JUDICIAL RESOURCES COMMISSION" selected. The right pane displays a list of 20 items, all of which are Adobe Acrobat documents.

Name	Date modified	Type	Size
1. Agenda	12/6/2019 1:46 PM	Adobe Acrobat Docu...	337 KB
2. Minutes 9-25-19 with attachments	9/26/2019 8:56 AM	Adobe Acrobat Docu...	660 KB
3. Thorson retirement ltr 9-25-19	10/1/2019 9:04 AM	Adobe Acrobat Docu...	313 KB
4. FY_2019_Separate_Juvenile_Court_Weighted_...	12/4/2019 1:00 PM	Adobe Acrobat Docu...	301 KB
5. 43-246. Code, how construed; 6-104. Time f...	12/5/2019 12:26 PM	Adobe Acrobat Docu...	133 KB
6. Lancaster County Juvenile Court Statistics me...	12/9/2019 9:32 AM	Adobe Acrobat Docu...	868 KB
7. FTDC data 11519.docx	12/4/2019 12:55 PM	Adobe Acrobat Docu...	400 KB
8. 2018 FTDC Stakeholders' Report 103118	12/3/2019 9:10 AM	Adobe Acrobat Docu...	898 KB
9. Ltr from NSBA re Separate Juvenile Lancaster ...	12/5/2019 10:02 AM	Adobe Acrobat Docu...	46 KB
10. Email and article from Judge Reggie Ryder	12/3/2019 9:32 AM	Adobe Acrobat Docu...	196 KB
11. Ltr from Legal Aid - Separate Juvenile Court ...	12/3/2019 9:25 AM	Adobe Acrobat Docu...	52 KB
12. Ltr from Judge Porter, Separate Juvenile Cou...	12/4/2019 2:41 PM	Adobe Acrobat Docu...	1,228 KB
13. Ltr from Patrick Condon, Lancaster County ...	12/9/2019 8:52 AM	Adobe Acrobat Docu...	1,680 KB
14. Samuelson retirement letter 9-3-19	9/6/2019 8:50 AM	Adobe Acrobat Docu...	187 KB
15. FY_2019_County_Court_Weighted_Caseload...	12/4/2019 1:02 PM	Adobe Acrobat Docu...	468 KB
16. Ltr from NSBA re County Court 6th - Samue...	12/4/2019 12:48 PM	Adobe Acrobat Docu...	381 KB
17. Ltr from Dodge County Bar Association - C...	12/5/2019 8:39 AM	Adobe Acrobat Docu...	593 KB
18. Ltr from David Drew - County Court 6th	12/5/2019 10:00 AM	Adobe Acrobat Docu...	334 KB
19. Ltr from Stuart Mills - County Court 6th loca...	12/5/2019 12:54 PM	Adobe Acrobat Docu...	34 KB
20. Ltr from Judge Luebe - County Court 6th - S...	12/9/2019 9:42 AM	Adobe Acrobat Docu...	28 KB

20 items

Nebraska State Bar Association
"Helping lawyers help people"

December 3, 2019

The Honorable Stephanie F. Stacy
Nebraska Supreme Court Justice
State Capitol, #2219
Lincoln, NE 68509

Dear Justice Stacy:

On behalf of the NSBA Judicial Resources Committee ("the Committee"), I wish to convey to the members of the Judicial Resources Commission our recommendation regarding the vacancy in the Office of the Separate Juvenile Court of Lancaster county, due to the retirement of Judge Toni Thorson.

The Committee met on October 15th and weighed a number of factors including caseload, case types and most importantly, access to the trial courts for Nebraska citizens. The members of the Committee also had available the Judicial Weighted Caseload Reports ("Judicial Workload Assessment") which included statistics through June 30, 2019. Juvenile Court Judge Roger Heideman participated in the call and reported that the concurrent jurisdiction filings do not receive a Juvenile Court filing number and that those filings are captured in the trial courts weighted caseload study. Also, juvenile justice cases have become more involved than when the latest weighed caseload study came out fourteen years ago. Based upon this discussion the Committee concluded that the State's justice system will not have adequate judicial resources available unless the current vacancy is filled expeditiously.

Therefore, the Committee recommends that the current vacancy in the Office of the Separate Juvenile Court of Lancaster county be filled, with the principle office in Lancaster County.

Thank you for your consideration of the recommendations set forth herein. Please include this letter with the materials provided to the members of the Judicial Resources Commission ahead of your December 10th meeting.

Sincerely,



Steven F. Mattoon
NSBA President

Cc: Corey Steel
Liz Neeley
Hon. PaTricia Freeman

Mussmann, Dawn

From: Stacy, Stephanie
Sent: Monday, December 2, 2019 12:23 PM
To: Mussmann, Dawn
Subject: FW: Article for Resource Commission
Attachments: Journal Star Article.pdf

From: Reggie L. Ryder <rryder@lancaster.ne.gov>
Sent: Monday, December 2, 2019 10:35 AM
To: Stacy, Stephanie <stephanie.stacy@nebraska.gov>
Subject: Article for Resource Commission

Justice Stacy,

Attached is a Lincoln Journal Star article that was published on July 26, 2008, which was a little less than one year after the fourth judgeship was created in The Separate Juvenile Court of Lancaster County, Nebraska. Please forward of a copy of this to Judicial Resource Commission for their consideration of the vacancy caused by the retirement of Judge Toni Thorson. Thanks and let me know if you have any questions.

Reggie L. Ryder, Judge
The Separate Juvenile Court of Lancaster County, Nebraska
575 South 10th Street
Lincoln, NE 68508
(402) 441-6341

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https://journalstar.com/news/local/juvenile-cases-moving-quicker-with-fourth-judge-on-board/article_9a87a6a1-664f-5add-8367-4bffeaed652d.html

Juvenile cases moving quicker with fourth judge on board

A Lancaster County Juvenile Court case that involved three kids taken from an unsanitary house in 2005 concluded nearly three years later with their adoption by Jeff and Lisa Elrod. Lancaster County

CLARENCE MABIN / Lincoln Journal Star Jul 26, 2008

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Reggie Ryder
ROBERT BECKER

A Lancaster County Juvenile Court case that involved three kids taken from an unsanitary house in 2005 concluded nearly three years later with their adoption by Jeff and Lisa Elrod.

Lancaster County prosecutors filed the initial abuse and neglect petition against the children's natural mother in August 2005, two years before the juvenile court added a fourth judge.

A number of circumstances had a role in the case's longevity: among them, the complexity of abuse and neglect petitions in general, the court's interest in protecting the rights of the natural parents and the succession of five caseworkers assigned to the case.

Heavy caseloads of the three juvenile court judges at the time also might have played a part.

"We were in dire straits for years," said Lincoln attorney Jon Braaten. "The fourth judge has made a difference."

Nebraska Gov. Dave Heineman appointed then-deputy Lancaster County Public Defender Reggie Ryder to the juvenile court bench in August. He joined Lancaster County Juvenile Court judges Roger Heideman, appointed in 2006, and Toni Thorson and Linda Porter.

Braaten is among several professionals who work closely with the court that said cases are progressing more quickly since Ryder's appointment.

One indication, he said, are more open judges' calendars.

"If we want to do something on (parental) visitation, we can get into court in two to four weeks, as opposed to three months," he said.

By state law, Braaten said, juvenile courts must review abuse and neglect petitions at least every six months.

“Before (Ryder) it was four or five months,” he said. “Now, we’re doing them every three months. ... I believe that cases are going through 25 percent to 30 percent quicker.”

Dawn Rockey, executive director of Court Appointed Special Advocates, or CASA, has also noticed a change.

“I think the judges are not as overwhelmed,” she said.

CASA volunteers represent the interests of children at the center of abuse and neglect court cases.

Rockey said the new court is referring cases to CASA sooner after the initial filing of a petition than did the three-judge court.

“I think it’s because they’re (judges) not as rushed,” she said. “They have more time to look at cases with a (fresh) set of eyes.”

Ryder’s appointment came on the heels of a recommendation from the Nebraska Judicial Resources Commission that the Legislature approve a new judgeship for the judicial district.

Porter and Thorson appeared before the Commission in December 2006, urging its members to make the recommendation.

A judicial workload study completed earlier that month indicated the court was only slightly understaffed. According to the study, the district had a judicial demand of 3.09 positions.

The study considered the number of judges in a judicial district and the demands on their time, measured in part by the type of cases, weighted for complexity, that they handle each year.

At the hearing, Porter questioned whether the study, which looked at caseloads during a period in 2005, also considered cases from the previous year, but that were still pending in 2005.

Juvenile court cases, she said, often take longer to resolve than cases before a county or district judge.

“How many cases you’re counting (is my issue)” she said.

In an interview earlier this year, the judge said she and her colleagues got “a little breathing room” with Ryder’s addition last year. She said she can now set aside one half-day a week for getting caught up with her orders and reading case law.

The additional time could also lead to quicker turnaround on abuse and neglect cases, which, Porter said, consumes at least half of her time.

For children placed outside their homes while the cases work their way through court, quicker resolutions can be crucial, she said.

Strong emotional attachments can form between children and foster parents, she said.

“If the placement is with a relative, that’s no problem,” she said. “But if it’s foster care, that can be a problem for the child.”

Reach Clarence Mabin at 473-7234 or cmabin@journalstar.com.



941 O St., Ste. 325 • Lincoln, NE 68508 • legalaidofnebraska.org
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November 26, 2019

Hon. Stephanie F. Stacy
Nebraska Supreme Court Justice
Judicial Resources Commission
Room 2219, State Capitol
Lincoln, NE 68509

RE: Lancaster County Juvenile Court

Dear Justice Stacy:

This letter concerns the potential judicial vacancy in the Separate Juvenile Court of Lancaster County resulting from the retirement of Hon. Toni G. Thorson. Legal Aid of Nebraska has had a contract to do juvenile court work in Lancaster County for over 30 years, so we are very familiar with the work of that Court. Based upon our experience and observation, we believe it is imperative that a vacancy be declared.

The Separate Juvenile Court of Lancaster County needs to have four judges. Child welfare needs are urgent. But since the juvenile court has been reduced to three judges, we have seen firsthand how detention hearings for detained youth, and custody hearings for abused and neglected children, have been difficult to schedule. In one case, the judge scheduled a custody hearing to last past 5pm because there was no other available time.

We have also seen firsthand the success stories from the Problem Solving Courts used by the Juvenile Judges. We have seen many teenagers with substance abuse issues successfully graduate from Juvenile Drug Court. We have also seen many families reunited in Family Drug Court. Clearly, there is no place where Problem Solving Courts have a greater impact than in Juvenile Court. Yet, we are aware that there has already been discussion that if a vacancy is not declared, the future of some of these courts may be in danger.

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We understand that case numbers may fluctuate depending upon the policies of various state agencies. But over time, the case numbers will increase, just as the population of Lancaster County continues to increase. A decrease in the number of Juvenile Court Judges would be a step backward for Lancaster County.

We appreciate your consideration of our concerns, and would request that this letter be included with the materials for the upcoming meeting of the Judicial Resources Commission.

Sincerely,



Milo Mumgaard
Executive Director

cc: Corey Steele
Liz Neeley

Linda S. Porter
Judge

Amber Rothe
Bailiff

Shannon Clausen
Courtroom
Assistant

Separate Juvenile Court of Lancaster County



JUSTICE and LAW
ENFORCEMENT CENTER
575 SOUTH 10th STREET
LINCOLN, NEBRASKA 68508

402 / 441-7406
fax: 402 / 441-7415

December 4, 2019

Members of the Judicial Resource Commission:

Thank you in advance for your consideration of my comments and information concerning the current vacancy in the separate juvenile court of Lancaster county.

I have served as a separate juvenile court judge in Lancaster county for over twenty years, and before that was the chief deputy county attorney for the juvenile division for Lancaster county and a deputy county attorney in the juvenile division for most of the previous ten years. Consequently I have had the opportunity to experience the juvenile caseload from multiple perspectives and over a significant period of time. I am aware that the commission will be considering whether to declare a vacancy in light of Judge Toni Thorson's retirement after almost thirty years on the juvenile court bench, given that the number of filings in the Lancaster County juvenile court has recently declined. I offer these comments with minimal self interest given that I anticipate retiring myself within the next year. My concern is for the youth and families of Lancaster County and the need to ensure that they continue to have timely and adequate access to the judicial system.

Child welfare cases, which frequently involve children removed from their parent's care and custody are required by statute to be reviewed in court every six months after an adjudication. I can tell you from experience, that this is rarely frequent enough to ensure that parents and children receive timely services and the support they need to complete a court ordered rehabilitation plan, and to ensure that children's well being is closely monitored. All three judges in Lancaster County are at present reviewing our child welfare cases far more frequently, usually every three months, and on certain dockets, i.e., substance abuse cases, and domestic violence cases, every month. More frequent court hearings allow the court to intervene as needed to ensure that services are available to parents, to approve changes in court ordered plans, and to both support parents who are making progress and caution parents who are not. This more frequent access to the courts has assisted dramatically in our judges meeting the time lines that the court is required to consider for children's permanency. Far fewer children are languishing in foster care, without resolution of their cases due to unavailable court time. Caseworker turnover and inexperience has continued to present challenges that more frequent court hearings and court oversight is able to at least partially alleviate. It also bears noting that

the child welfare cases I am seeing that do result in the filing of petitions in juvenile court, are significantly different as a whole than those which were filed in the earlier stages of my career. They involve children and families that are experiencing far more complicated and entrenched patterns of neglect and abuse, and who have often had multiple contacts with the child welfare system that have not resulted in any court involvement or successful resolution of the families' problems. Consequently, far fewer petitions are dismissed at an early stage of the proceedings for voluntary services, and many more cases require significant judicial oversight for longer periods of time.

Delinquency filings, i.e., filings in which a juvenile is alleged to have violated the law, and status offender filings, i.e., cases of habitually truant youth or chronic runaways, have been up and down over the last several years. Diversion programs are being utilized to keep many cases which might have previously been filed out of the court system in Lancaster County. We clearly view this as a positive. Those now diverted cases, which in the past typically involved only a couple of hearings per case and youth who did not need the intervention of the court and probation office over a significant period of time, have freed up both court time and probation resources to address youth with far more significant behaviors, who are most at risk of ending up in the adult criminal justice system. Truancy filings are up again recently, after Lancaster County attorney apparently ended their diversion program for middle school youth who had established patterns of truancy. Those cases are now being filed directly in juvenile court again.

The three separate juvenile court judges in Lancaster County have recently participated in the judicial workload study over a period of four weeks, in conjunction with the National Center for State Courts. The results of that study will not be available for at least a few months. Notably, in discussing our workload among the three of us, we found a number of judicial duties and hearings that were not part of the previous study, conducted approximately thirteen years ago. Based upon the data we entered, we are not sure how or whether these additional responsibilities will be captured, but they clearly were not part of the data that is now purporting to indicate that the Lancaster County separate juvenile court is "over-resourced." Juvenile court judges now are responsible for sealing of juvenile records, including reviewing files, and holding hearings on any objections filed by the county attorney to sealing. We oversee Bridge to Independence cases, i.e. petitions filed for youth who age out of the foster care system at age 19, and hold hearings at least yearly and more frequently if requested by the young adult, until they turn 21. We conduct transfer hearings in certain delinquency cases, which previously were heard exclusively by the county and district courts. We have Bridge Order hearings which allow us to close certain juvenile cases at later stages of the proceedings, with a bridge order to a district court docket regarding custody and visitation issues. It should also be noted that many cases we hear involving adoptions, paternity, child support, and motions to terminate parental rights with county court and district court docket numbers and consequently have not been "credited" to our dockets in measuring our caseload responsibilities. The juvenile court also now hears

motions for commitments to the Youth Rehabilitation and Treatment Centers as separate hearings required by statute, which are often contested.

I know that the Commission is aware that there have been for sometime and continue to be discrepancies in filing practices across the state in juvenile court matters. I will not reiterate those here, but simply ask the Commission to consider that our filing practices in Lancaster County, have been designed to promote judicial efficiency and convenience for litigants, and nothing else. Hopefully, there can be some uniformity in the future so that judicial workloads and judicial resource needs are fairly assessed across the state. The only issue I wish to identify here is that in the child welfare arena particularly, using the number of cases filed in a year as the "multiplier" in determining the need for judicial resources, is not a rational basis for determining the number of cases we handle in the course of a year. We all have a significant number of child welfare cases from previous years that we continue to hear and oversee. Those cases filed in a previous year often entail significant and time consuming substantive hearings. A far better number to use would be the average number of child welfare cases we have on our docket at any given time during the course of a year.

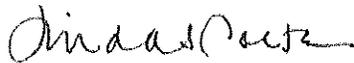
An additional consideration for the Commission is the significant time commitment on the part of all of the Lancaster county separate juvenile judges that we devote to membership on and participation in the numerous commissions and committees that are focused on improving the judicial system generally, and outcomes for children and families, specifically. Personally, I have been asked to serve and served continuously on the Supreme Court Commission on children since its' inception, and have also served for several years on the following additional committees or commissions: the Nebraska Children's Commission, the Ethics Advisory Committee, the Probations Services Committee, the Judicial branch Education committee, and the Chief Justice's leadership committee. I have also chaired from time to time and been continuously involved in our local Eyes of the Child team since its inception over thirteen years ago. Most of these assignments involve multiple day or half day time commitments per year, and many of them have also required or involved chairing or participating on subcommittees of the larger organizations, with corresponding additional time commitments. My colleagues have also served on many of these, as well additional committees of the Supreme Court, and other judicial administration approved initiatives designed to improve our practices. Lancaster County juvenile judges have often been asked by court administration to serve on committees or commissions because of our geographic accessibility for attendance.

Finally, I would urge the Commission to consider that the population of Lancaster County is increasing not decreasing, and that the number of minor children in our jurisdiction is also growing, not shrinking. Between 2013 and 2017, the population of Lancaster county increased 5.7%, while the number of children under-4 increased 24.2% and the number of children 10-17 year old increased 37.4%. (Voices for Children Kids Count in Nebraska Report 2018) Children

are the entire focus of our caseload, whether it is adolescents struggling with mental health and behavioral issues, or children at significant risk of abuse or neglect by their parents or guardians. Predicting whether case filings will remain at their current numbers or increase, given the demographic trends in Nebraska, and/or potential changes in filing practices by the County Attorney or the Department of health and Human Services, is undoubtedly uncertain. What I can predict however, is that reducing the available judicial resources for children and families in our community will undoubtedly affect in an adverse manner their timely and full access to the courts, and timely resolution of their cases.

Thank you again for your consideration.

Sincerely,

A handwritten signature in cursive script, appearing to read "Linda S. Porter".

Linda S. Porter



PATRICK F. CONDON
LANCASTER COUNTY ATTORNEY

www.lancaster.ne.gov/attorney

December 6, 2019

Honorable Stephanie F. Stacy, Judicial Resources Commission Chair
Nebraska Supreme Court
State Capitol Building, Room 2219
Lincoln, NE 68509

Re: *Whether a judicial vacancy exists in the office of the Separate Juvenile Court of Lancaster County; Judicial Resources Commission Annual Meeting to be held on December 10, 2019*

Dear Justice Stacy and Commission Members:

On behalf of the Lancaster County Attorney's Office, I write to urge members of the Judicial Resources Commission to declare a vacancy in the Separate Juvenile Court of Lancaster County so that it may be filled immediately. It is my belief that maintaining four judges in our Juvenile Court is critical to ensure timely access to justice and continued progress in the juvenile justice reform efforts occurring in Lancaster County.

In the context of juvenile courts, it is my duty as County Attorney to ensure the enforcement of the Constitution of the United States, the Constitution of the State of Nebraska, and the laws of the State of Nebraska for the health, safety, security and welfare of our children and families.¹ My office's Juvenile Division, comprised of seven full-time attorneys and three support staff, is tasked with accomplishing this mission by reviewing, evaluating, coordinating, and ultimately filing *when appropriate or required* cases in the Separate Juvenile Court of Lancaster County.

As this Commission has seen from the Separate Juvenile Court Caseload Report, the total number of case filings has decreased over the past 10 years.² But I would urge the Commission to consider why those filings have decreased, what cases remain in front of the Juvenile Court, and what projections can be made about future filings and the level of judicial oversight they will continue to demand. My office's juvenile court filings are comprised of three main categories: (1) status offenses³, (2) law violations⁴, and (3) neglect/dependency cases⁵.

As for the first category, status offenses, our Juvenile Division receives truancy referrals from all schools responsible for educating students in Lancaster County as well as requests from parents seeking Court assistance for children who are ungovernable or are otherwise experiencing mental health or behavioral issues. As reflected in the data, status offense filings have decreased over the past five years. I would suggest that is due in large part to legislation enacted in 2014 that required schools and the County Attorney to increase prevention efforts to avoid the necessity of status offense filings unless other efforts have been offered and proven unsuccessful.⁶ Therefore, the cases that are filed in court now have already received collaborative planning efforts within the school, referral to community-based

¹ Neb. Rev. Stat §§ 11-101, 23-1201, and 43-247

² https://supremecourt.nebraska.gov/sites/default/files/Separate_Juvenile_Caseload_Report_FY_2019.pdf

³ Neb. Rev. Stat. § 43-247(3)(b), majority due to habitual truancy but also including "ungovernable" youth

⁴ Neb. Rev. Stat. § 43-247(1) and (2) which include felonies and misdemeanors

⁵ Neb. Rev. Stat. § 437-247(3)(a)

⁶ Laws 2014, LB464, §34

resources from the County Attorney, and the juvenile has not responded adequately to these efforts. The juveniles that are being filed on now due to status offenses frequently have a longer pattern of attendance concerns and require more substantial judicial oversight to correct their condition.

As for the second category, law violations, our Juvenile Division receives referrals from all law enforcement agencies on juveniles under 18 who are alleged to have violated the criminal laws of the State of Nebraska. As part of reform efforts within Lancaster County, my office has worked diligently to ensure that only those juveniles who require judicial oversight are filed on in court. Over the past five years, this goal has been realized through an increased focus on assessing the risk that each juvenile pose to re-offend, instead of merely whether there is sufficient evidence to obtain an adjudication. While the number of law violation referrals from law enforcement has remained fairly consistent over the past five years, we have been able to reduce our law violation filings by roughly 15% through newly created school-based diversion programs, expanded use of traditional diversion, and increased frequency of declining any juvenile justice intervention to allow the parent to address the behavior on their own.

It is extremely important that the Commission understand that those juveniles now avoiding the Juvenile Courts due to these reform efforts have been those with the lowest level offenses⁷ who also poses the lowest risk to re-offend based upon a standardized assessment. These are juveniles whose case, if filed on as in the past, would likely have been quick to adjudicate, quick to enter disposition, and less frequently returned to court due to a probation violation. In contrast, the cases in front of our Juvenile Court now, while still a very substantial number⁸, are those that on average allege more serious offenses by more high-risk offenders. These are the cases that have always placed the largest burden on judicial resources because they require more frequent court hearings, involve more contested issues, and require more complicated dispositional planning. Therefore, while the law violation filings may have decreased the strain on judicial resources has not.

As for the third category, neglect/dependency cases, our Juvenile Division has historically received child abuse and neglect referrals primarily from the Nebraska Department of Health and Human Services (HHS). For the past several years, our office has tracked the sources of referrals received for the filing of abuse and neglect cases and seen a concerning shift. What we have seen in our data is a correlation between the change of leadership within HHS's Children and Family Services Division and the frequency with which HHS sought assistance from the County Attorney and Juvenile Courts to address child abuse and neglect. In August of 2017, a new director of the Children and Family Services Division was appointed and immediately thereafter we saw a dramatic decline in referrals from HHS. In the year prior to the change in directors, our office would receive on average 11 requests per month from HHS staff seeking a new court filing. However, over the next two years our office received only four referrals per month on average from DHHS. That is 85 fewer referrals per year from HHS. In light of the fewer referrals from HHS, our data shows that other agencies such as law enforcement and medical providers began contacting the County Attorney directly at higher rates seeking Juvenile Court involvement for families. This shift in referral source required an internal adjustment within our office to respond and oversee abuse and neglect investigations in order to meet our responsibility to protect children and seek appropriate judicial oversight of rehabilitative efforts.

⁷ i.e., Criminal Trespassing, Shoplifting, Disturbing the Peace, etc.

⁸ 742 total law violation filings during fiscal year 2019 according to

https://supremecourt.nebraska.gov/sites/default/files/Separate_Juvenile_Caseload_Report_FY_2019.pdf

The executive director appointed in 2017 has since resigned his position in August of 2019 and our office has once again began to see a slow increase in referrals being submitted by HHS. In fact, in October of 2019 we filed a greater number of new 3a petitions than in any previous month over the past two plus years. As child welfare stakeholders including county attorneys, judges, state senators, and others have brought attention to the concerning shift in HHS policies I hope and expect that a return to more judicial oversight will occur to ensure the needs of these at-risk children and families are being met.⁹

Without approval of a fourth judge for the Separate Juvenile Court of Lancaster County, I would have concerns about the immediate reduction in justice access for each of these extremely important case types. Our county has worked hard as part of the Through the Eyes of the Child Initiative to collaborate between the judiciary, prosecutors, defense attorneys, law enforcement, and other stakeholders to ensure efficient use of judicial resources on those cases that truly require court intervention and services. These court-led initiatives are showing positive returns and we look forward to the intensive family preservation efforts continuing to be fully implemented. To drastically reduce access to those services now by failing to declare a vacancy would limit timely access to the courts for our habitually truant youth, our high-risk law violators, and our abused and neglected children. This timely access to justice is critical to ensure that the statutorily imposed timelines are met for our youth detained in secure detention, for speedy adjudications of allegations involving abuse or neglect, and ensuring timely permanency for those cases in which trials are necessary to address motions to terminate parental rights and provide permanency for children languishing in foster care.

I strongly support and request that the Commission declare the vacancy immediately.

Sincerely,



PATRICK F. CONDON
LANCASTER COUNTY ATTORNEY

cc: Dawn.Mussmann@nebraska.gov

⁹ Health & Human Services Committee Fall 2019 Interim Studies included (1) LR134 – an interim study to examine the drug testing protocol recently changed by the Division of Children and Family Services for families involved in the child welfare system & (2) LR239 – an interim study to examine non-court-involved cases, including voluntary and alternative response cases, in the child welfare system

County Court, District Six

Burt County Courthouse
111 N. 13th Street, Suite 9
Tekamah, Nebraska 68061
(402) 374-2950
FAX (402) 374-2951

Judge
Matt Samuelson

Clerk Magistrate
Vicki Kuhlmann

September 3, 2019

Chief Justice Michael Heavican
P.O. Box 98910
Lincoln, NE. 68509

RECEIVED

SEP 5 2019

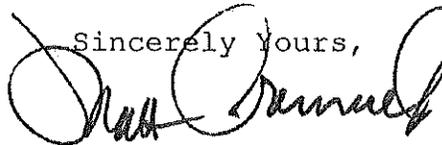
Dear Chief Justice Heavican:

Chief of the Civil Court

Please accept this letter as my intention to retire,
as Nebraska County Judge, effective October 31, 2019.

It has been my sincere honor and pleasure to serve the
citizens of this State and the Sixth Judicial District for
almost twenty-one years.

Sincerely Yours,



Nebraska County Judge

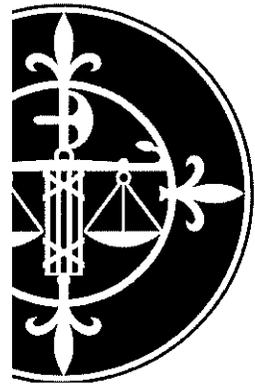
Nebraska Judicial Branch

Weighted Caseload Report

County Courts

Reporting Period
Fiscal Year 2019

July 1, 2018 to
June 30, 2019



July 1, 2018 - June 30, 2019

Nebraska County Courts Weighted Caseload Report

Fiscal Year 2019 (July 1, 2018 – June 30, 2019)

This Weighted County Court Caseload Report contains caseload statistics for Nebraska's 93 District Courts, grouped into twelve Judicial Districts. The judiciary of Nebraska currently assesses the need for judicial positions using a weighted caseload method based on cases opened. Weighted caseload systems provide objective, standardized determinations of resource needs.

No quantitative judgeship assessment method, including a weighted caseload system will determine the exact number of judges required within a judicial district. But quantitative methods, such as weighted caseload can approximate the need for judgeships and provide a point of reference or standard for comparing relative need among judicial districts. Other measures, both qualitative and quantitative, may be used in conjunction with the weighted caseload standard calculation to support the assessment of judicial need. In particular, should the standard calculation show the need for a fractional judge (less than the full-time equivalent), additional assessments as to the relative workload per judge within a district and travel per judge may be useful. Also, other useful measures may include analyses of budget constraints, population trends, and other factors that may differentially affect the need for judges across districts.

Mission of the Nebraska Administrative Office of the Courts:

Under the direction of the Nebraska Supreme Court, the Administrative Office of the Courts' mission is to ensure the public has equal access to justice, using leadership, education, technology, and administrative services to implement consistent, efficient, and effective court practices.



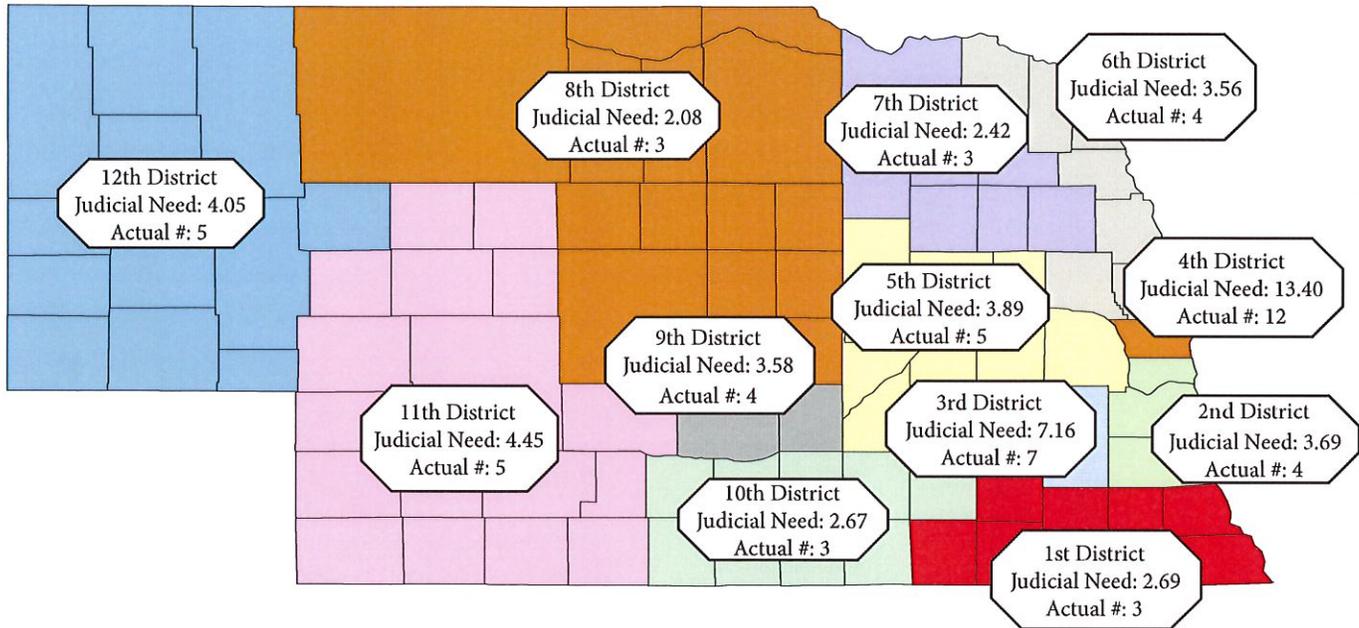
Corey R. Steel | Nebraska State Court Administrator
Nebraska Supreme Court

Rm. 1213 State Capitol | P.O. Box 98910 | Lincoln, NE 68509
T 402.471.3730 | F 402.471.2197
www.supremecourt.ne.gov

July 1, 2018 - June 30, 2019

Nebraska County Courts Judicial Needs

Fiscal Year 2019 (July 1, 2018 - June 30, 2019)



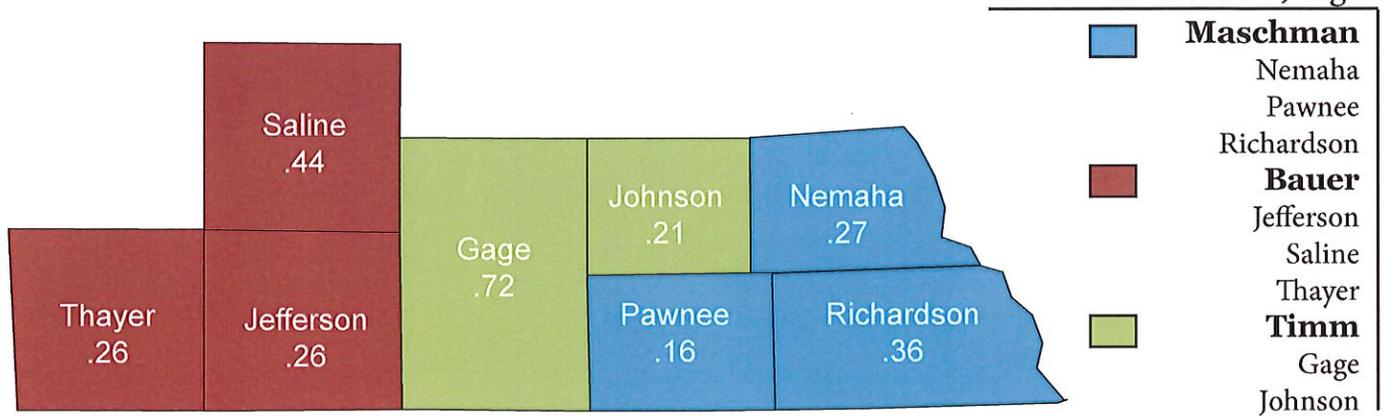
Weighted Caseload Report

1st Judicial District - County Court

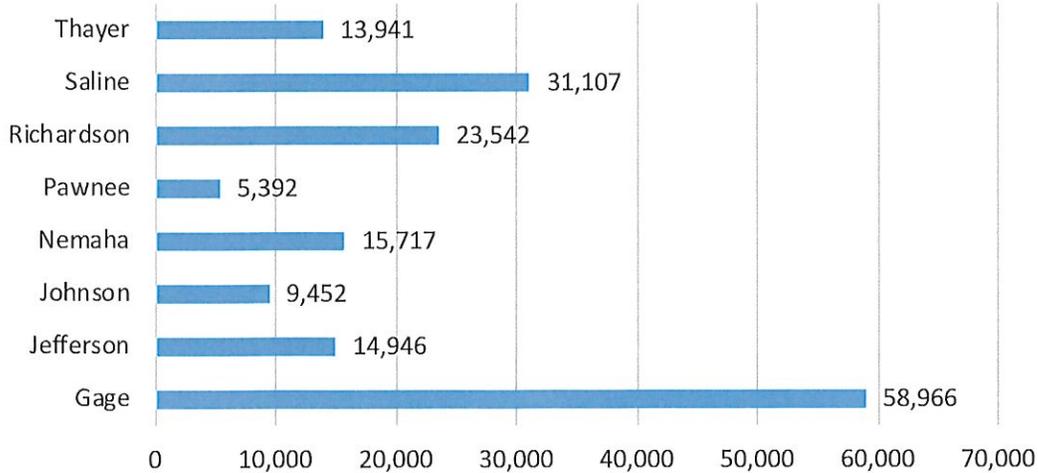
County court need for judges: 2.69
 Current number of judges: 3

Predicted judicial resources need by county

Primary Counties Served by 1st District Judges



Weighted Cases by County



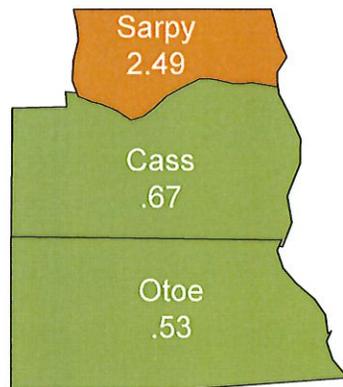
Weighted Caseload Report

2nd Judicial District - County Court

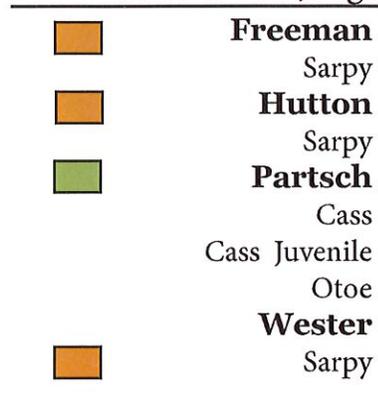
County court need for judges: 3.69

Current number of judges: 4

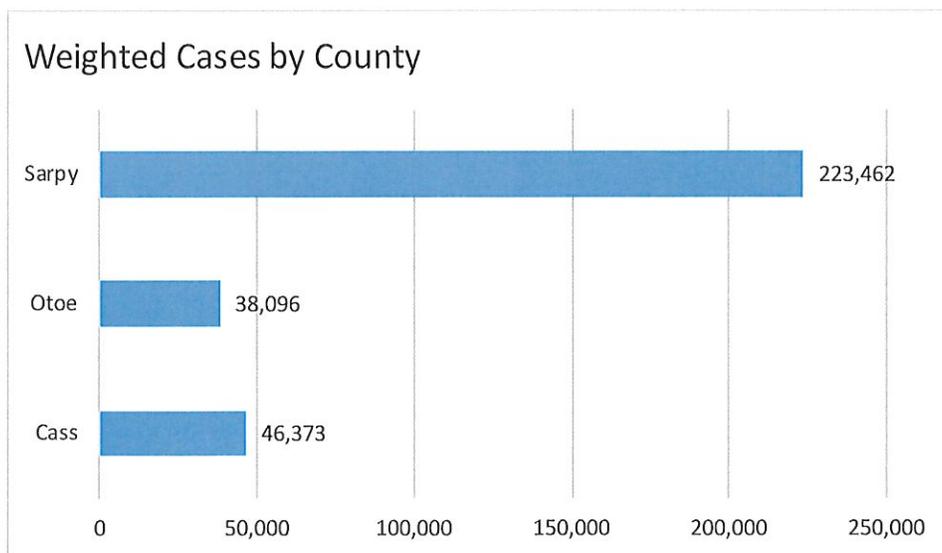
Predicted judicial resources need by county



Primary Counties Served by 2nd District Judges



Weighted Cases by County



*Sarpy County Juvenile Judge Robert O'Neal hears all Otoe County Juvenile Cases (Juvenile cases have been removed from Otoe County weighted cases and added to Sarpy County weighted cases.)

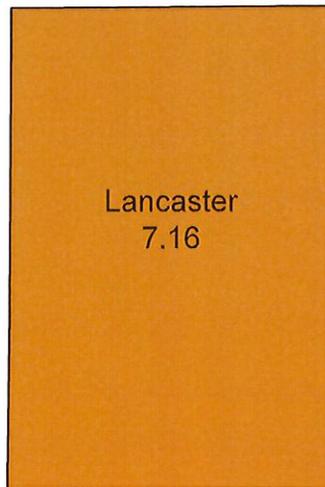
Weighted Caseload Report

3rd Judicial District - County Court

County court need for judges: 7.16

Current number of judges: 7

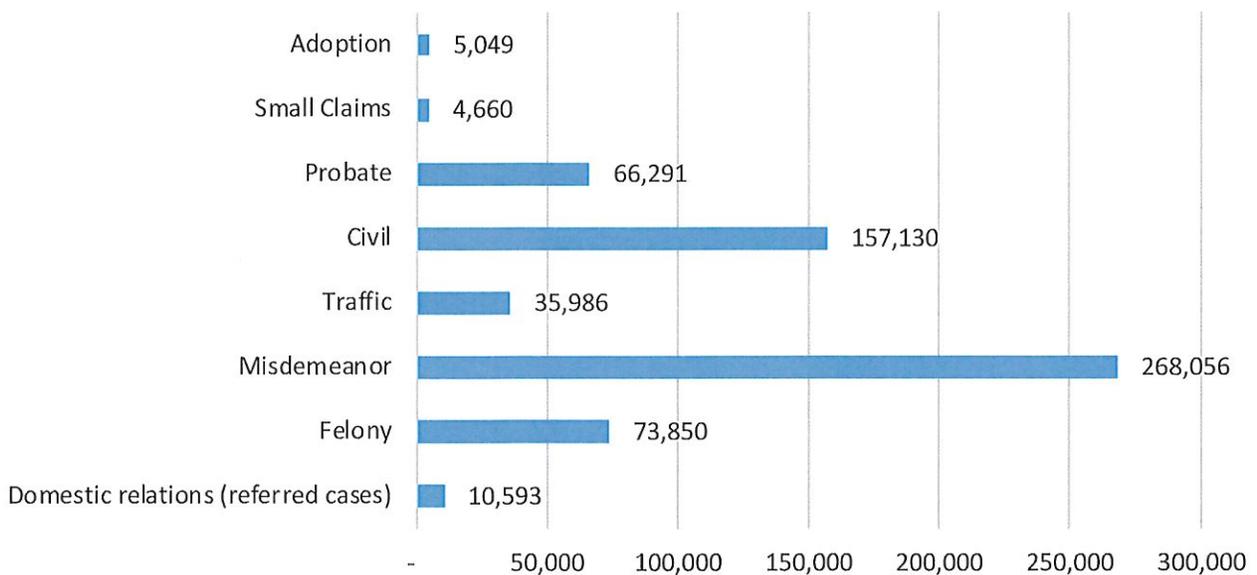
Predicted judicial resources need



Judges Serving the 3rd District
County Court

- Acton
- Fruedenberg
- Parsley
- Phillips
- Reuter
- Yardley
- Zimmerman

Weighted Cases by Case Type



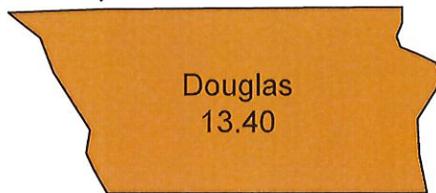
Weighted Caseload Report

4th Judicial District - County Court

County court need for judges: 13.40

Current number of judges: 12

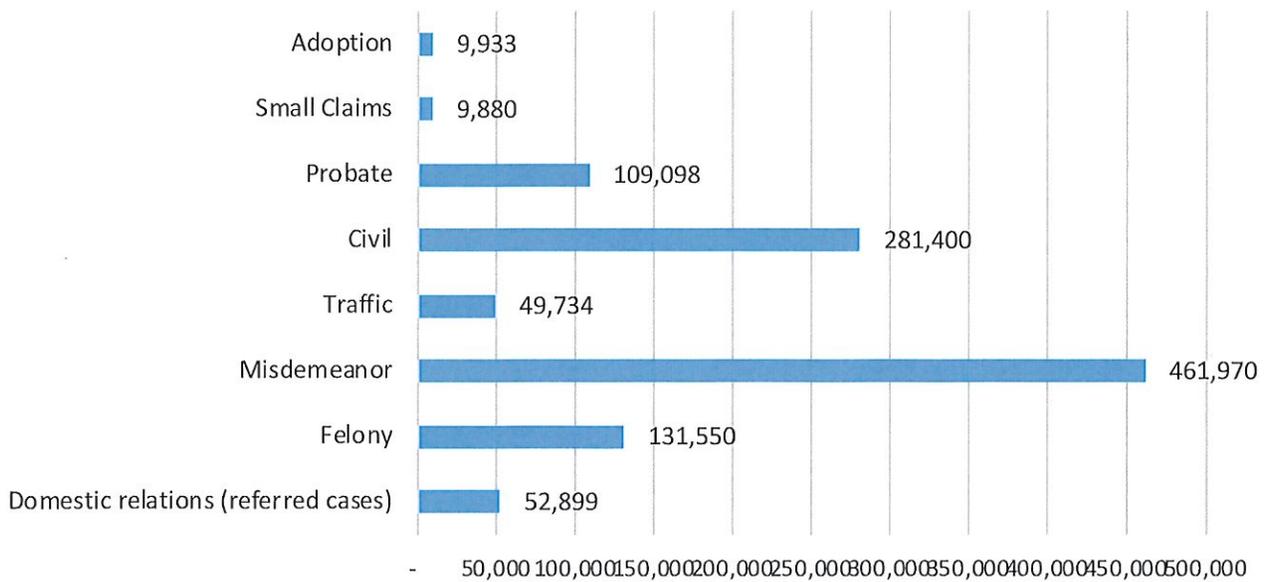
Predicted judicial resources need



Judges Serving the 4th District
County Court

- Barrett
- Hansen
- Harmon
- Hendrix
- Huber
- Keim
- Lohaus
- Lowe
- Marcuzzo
- McDermott
- Shearer
- Vaughn

Weighted Cases by Case Type

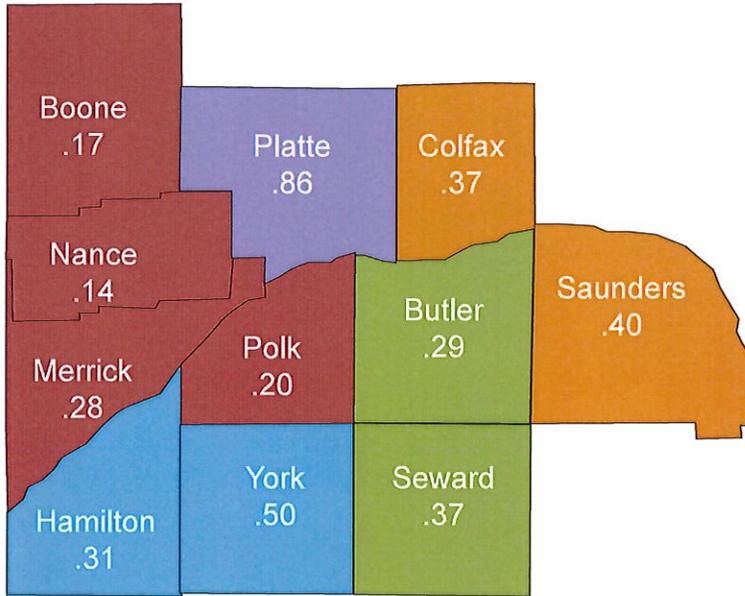


Weighted Caseload Report

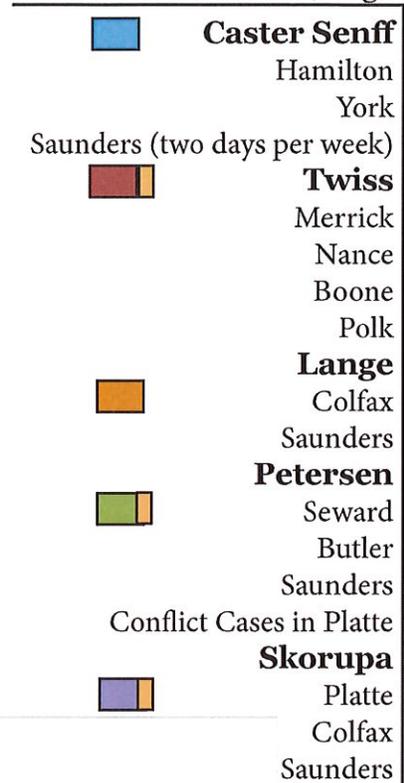
5th Judicial District - County Court

County court need for judges: 3.98
 Current number of judges: 5

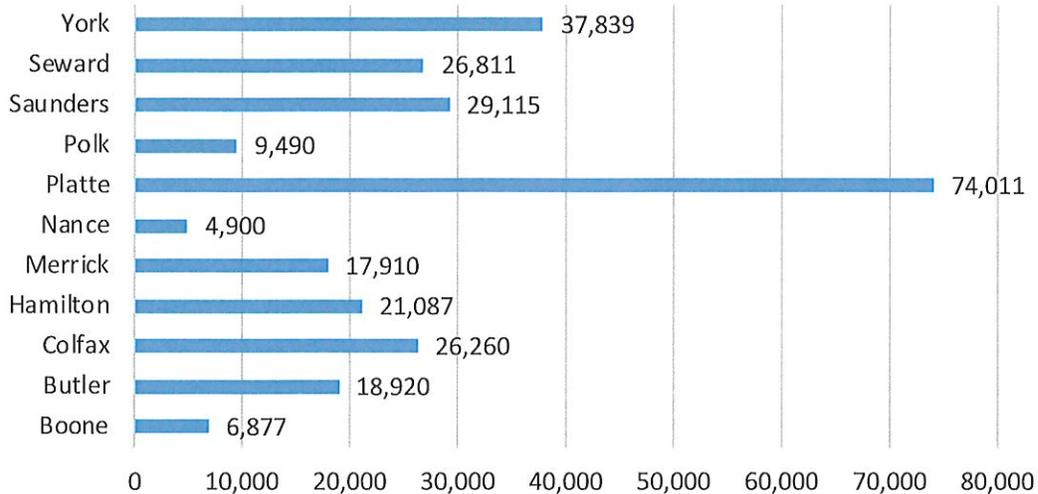
Predicted judicial resources need by county



Primary Counties Served by 5th District Judges



Weighted Cases by County



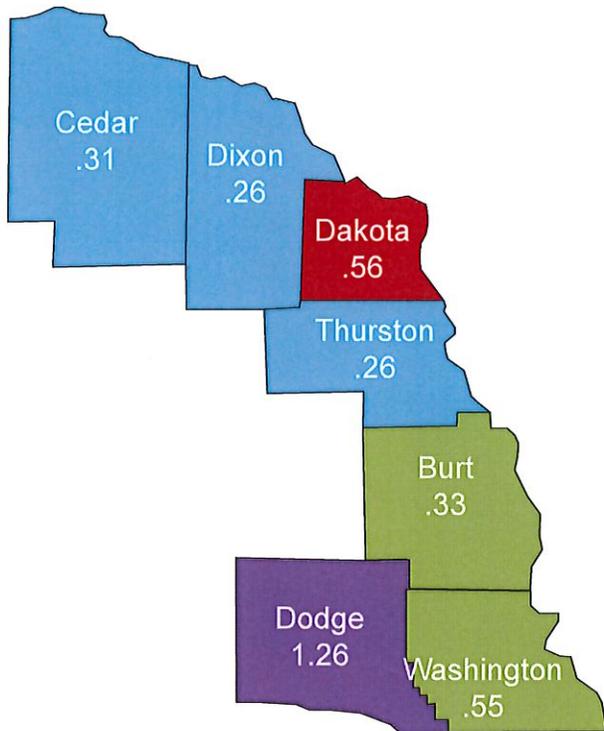
Weighted Caseload Report

6th Judicial District - County Court

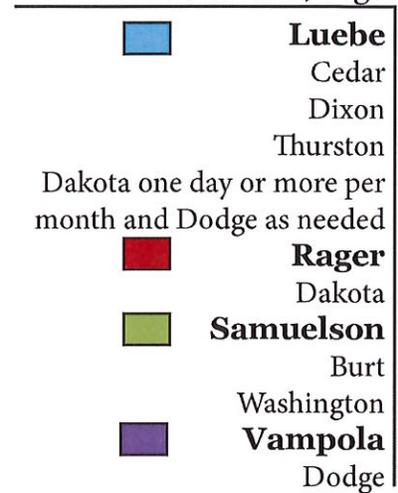
County court need for judges: 3.56

Current number of judges: 4

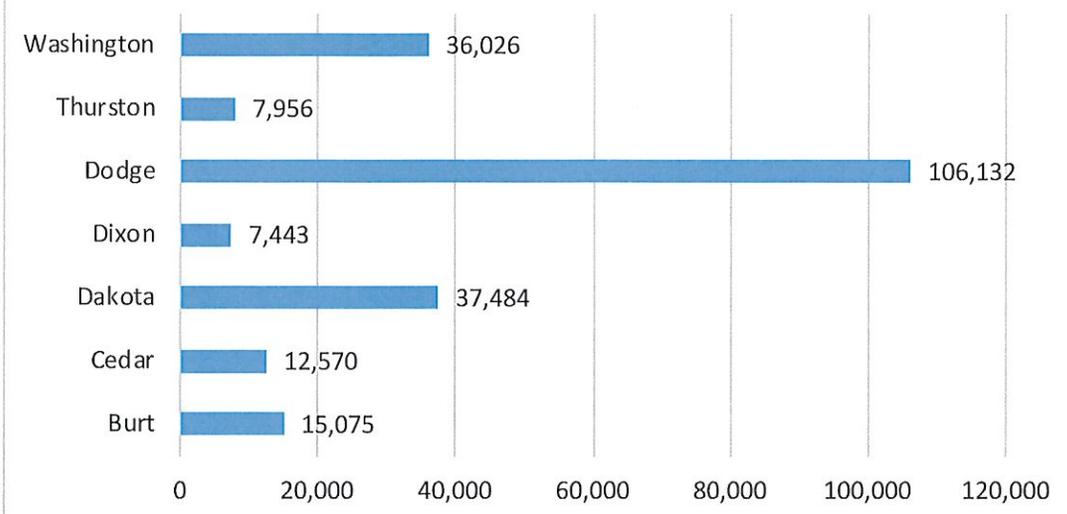
Predicted judicial resources need by county



Primary Counties Served by 6th District Judges



Weighted Cases by County



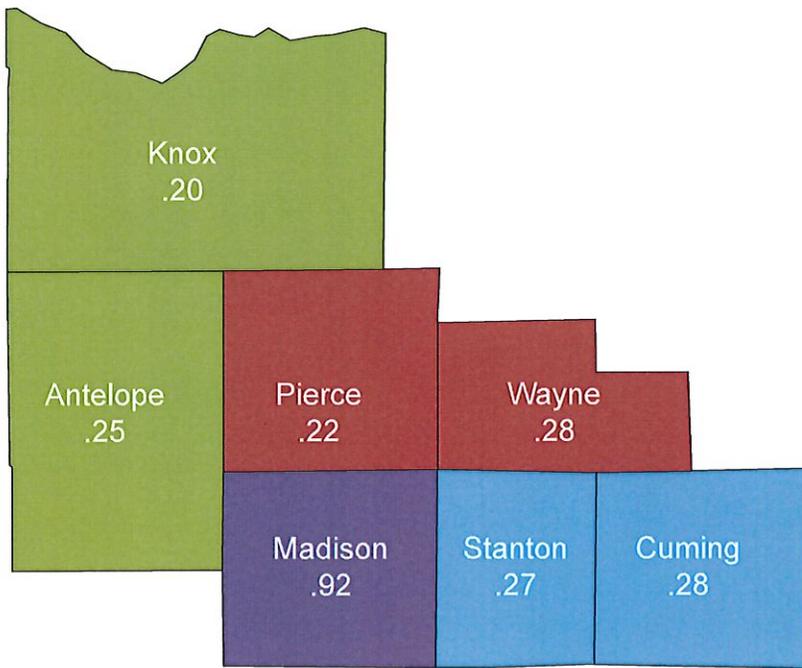
Weighted Caseload Report

7th Judicial District - County Court

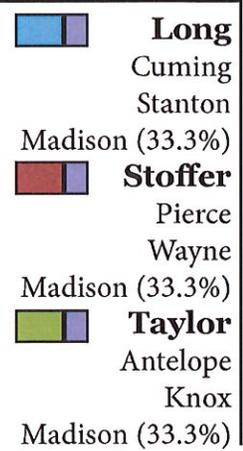
County court need for judges: 2.42

Current number of judges: 3

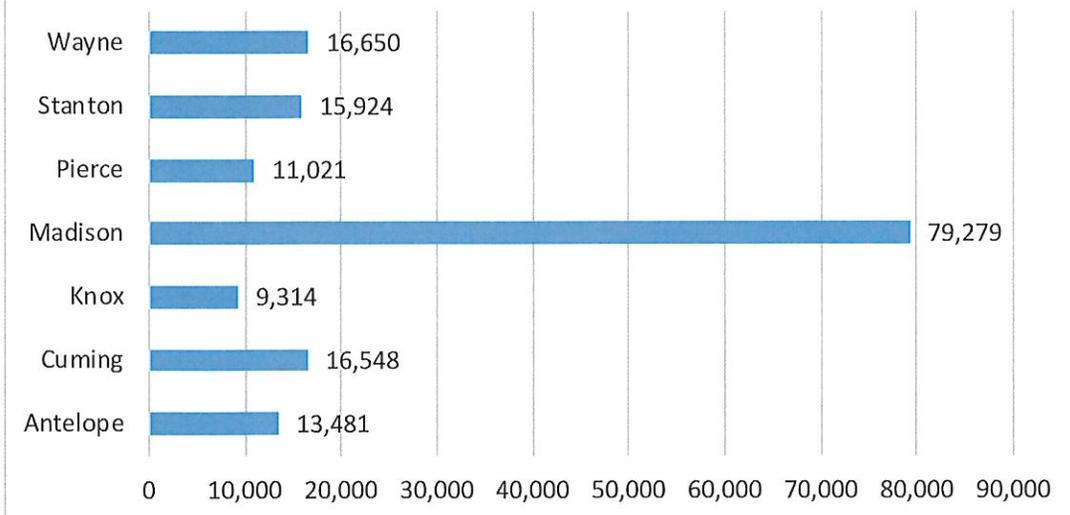
Predicted judicial resources need by county



Primary Counties Served by 7th District Judges



Weighted Cases by County



Weighted Caseload Report

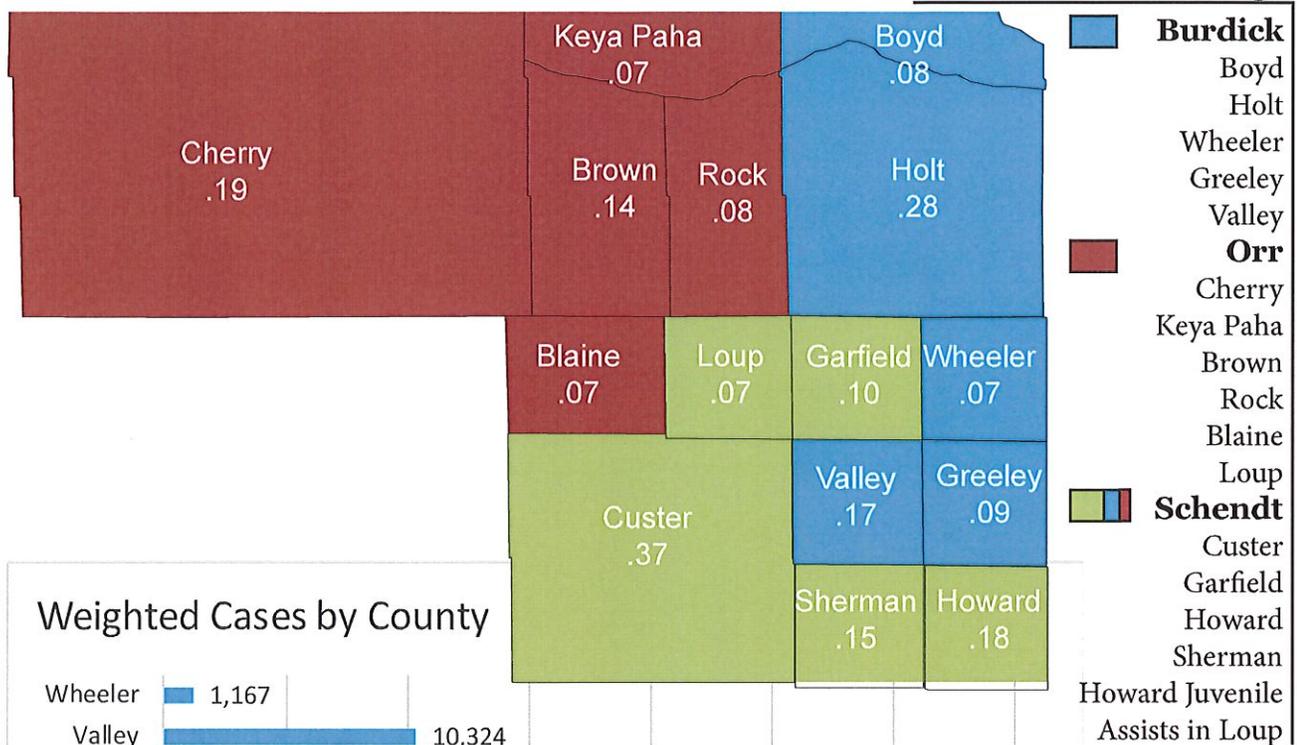
8th Judicial District - County Court

County court need for judges: 2.08

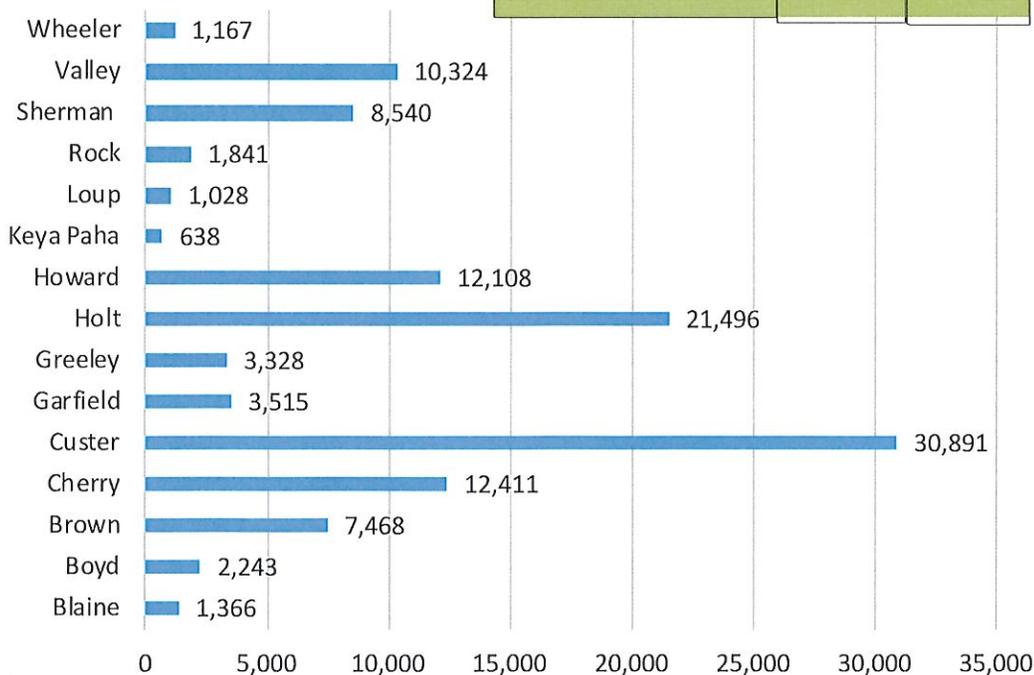
Current number of judges: 3

Predicted judicial resources need by county

Primary Counties Served by
8th District Judges



Weighted Cases by County



Weighted Caseload Report

9th Judicial District - County Court

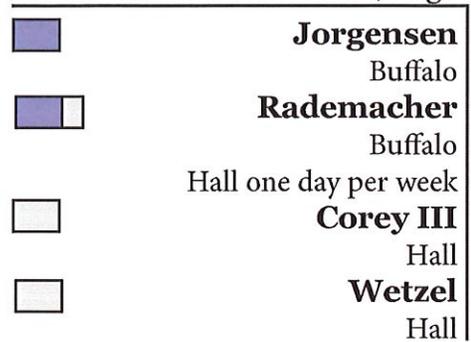
County court need for judges: 3.58

Current number of judges: 4

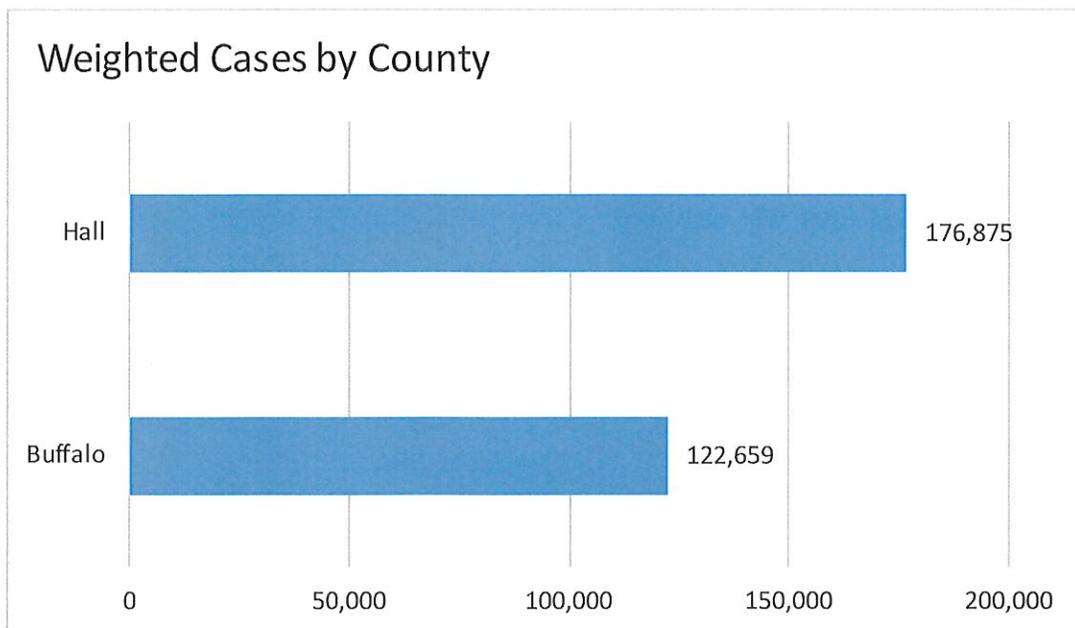
Predicted judicial resources need by county



Primary Counties Served by 9th District Judges



Weighted Cases by County

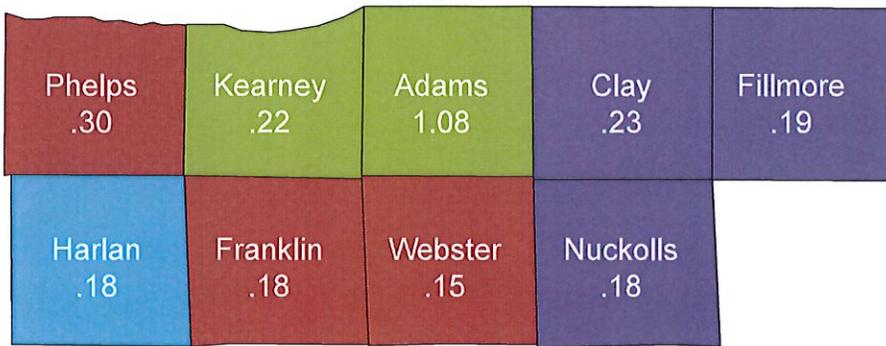


Weighted Caseload Report

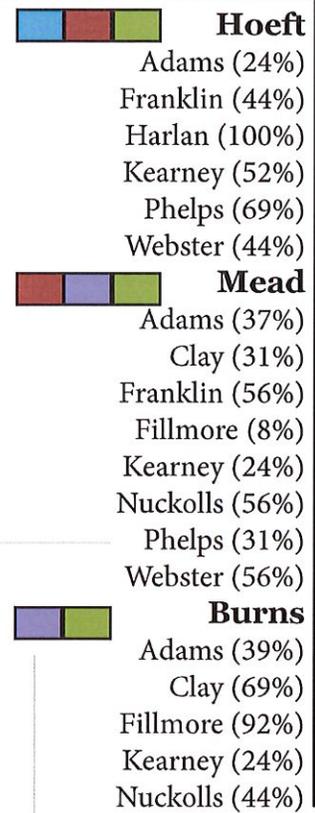
10th Judicial District - County Court

County court need for judges: 2.67
 Current number of judges: 3

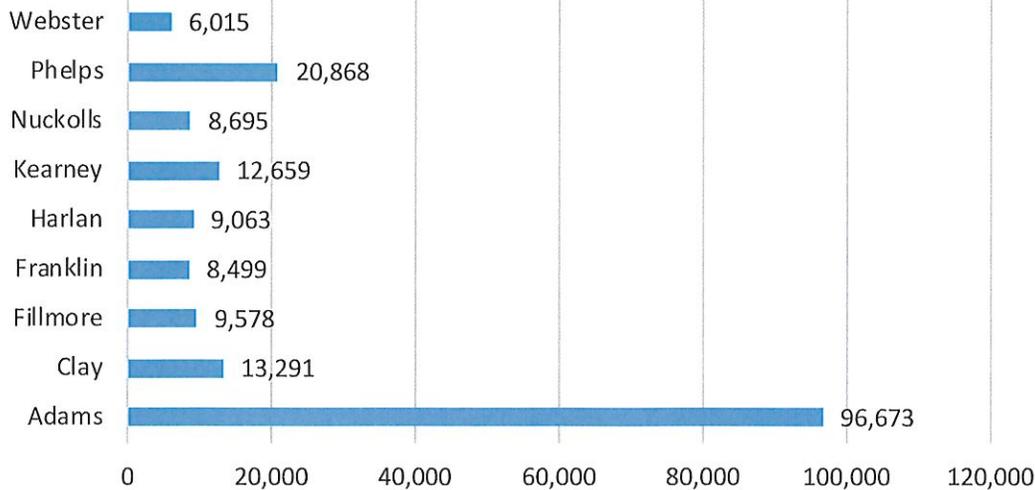
Predicted judicial resources need by county



Primary Counties Served by 10th District Judges



Weighted Cases by County

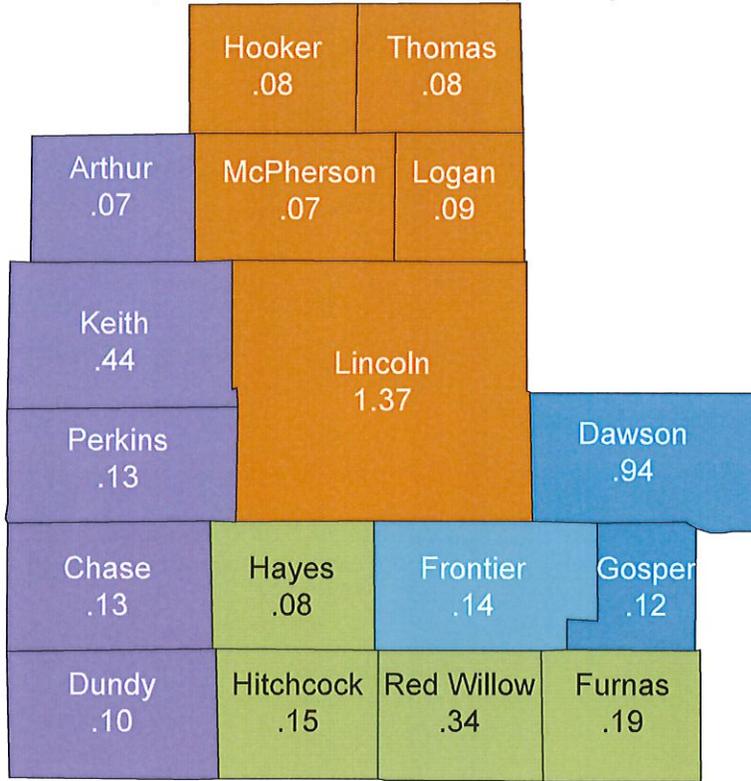


Weighted Caseload Report

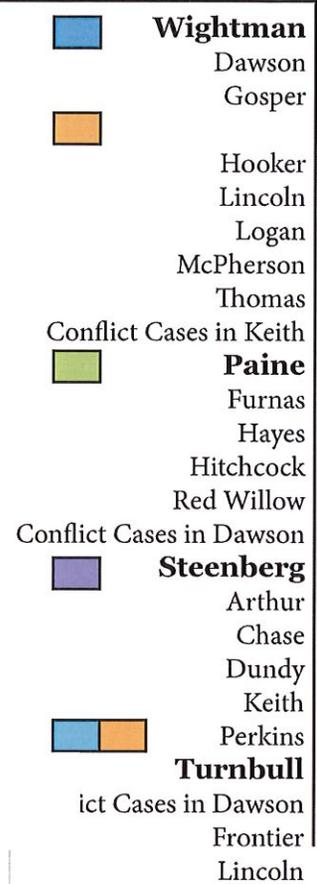
11th Judicial District - County Court

County court need for judges: 4.45
 Current number of judges: 5

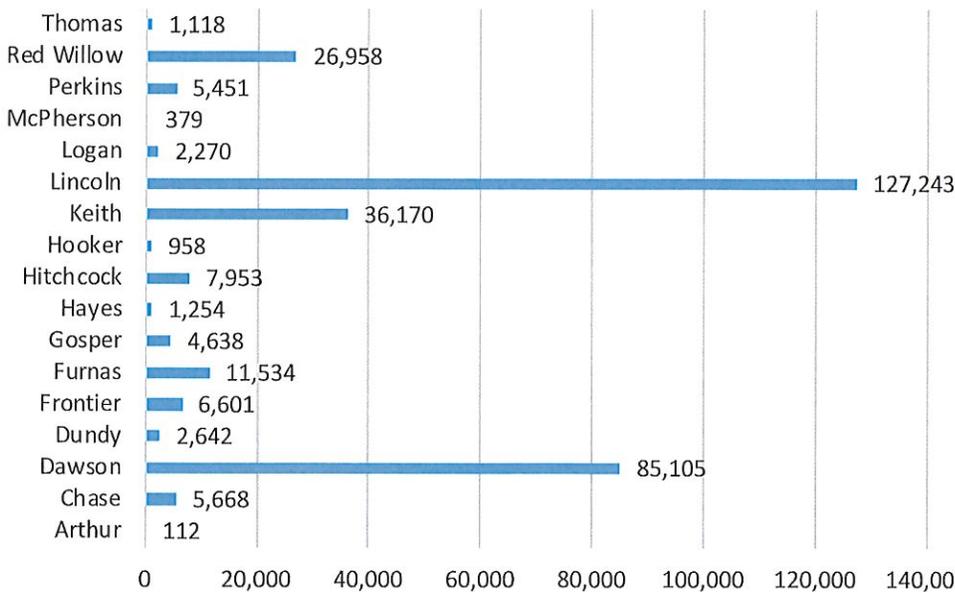
Predicted judicial resources need by county



Primary Counties Served by 11th District Judges



Weighted Cases by County



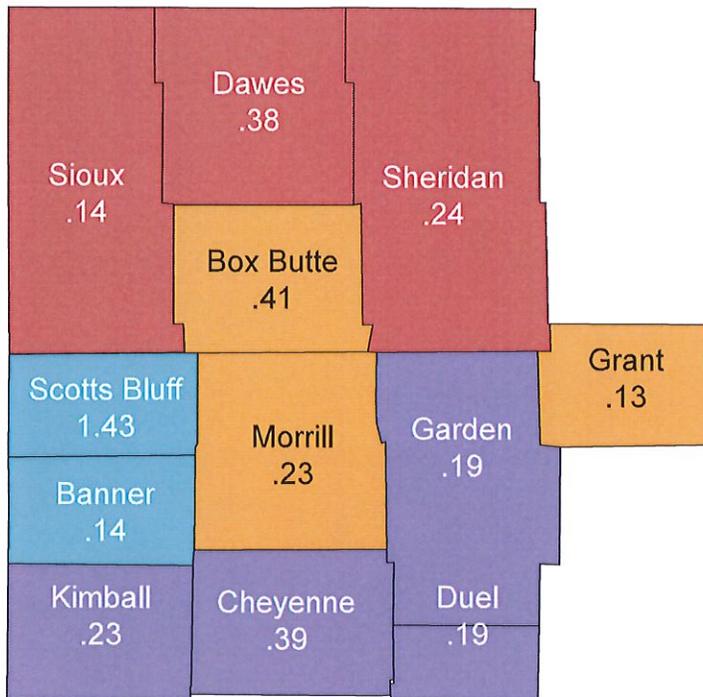
Weighted Caseload Report

12th Judicial District - County Court

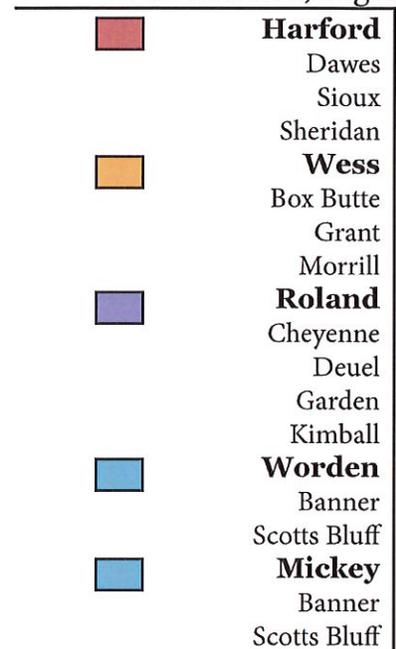
County court need for judges: 4.05

Current number of judges: 5

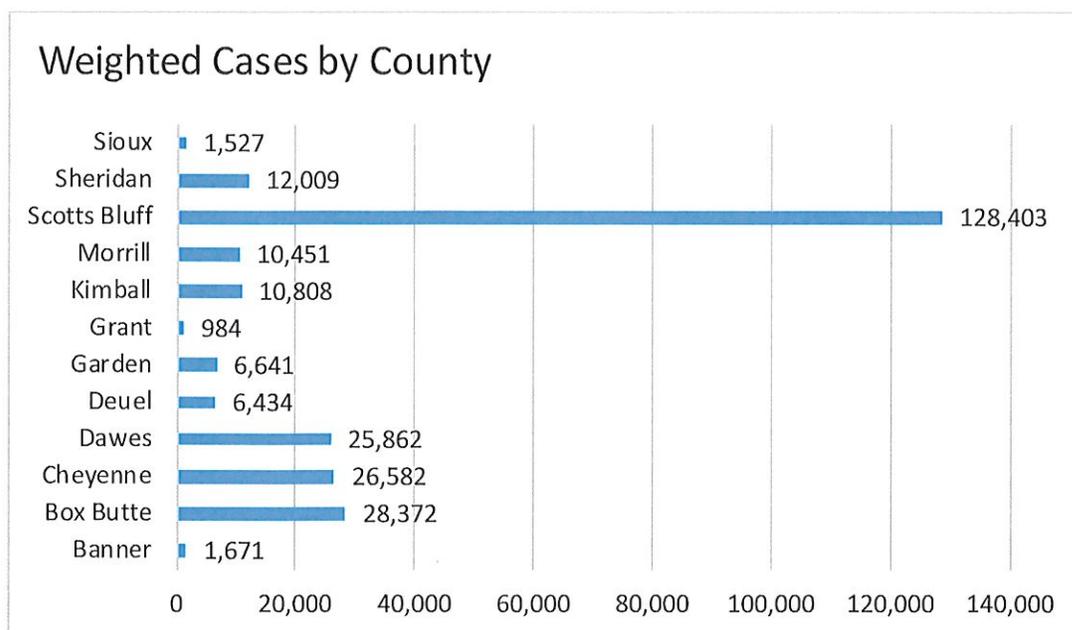
Predicted judicial resources need by county



Primary Counties Served by 12th District Judges



Weighted Cases by County



Nebraska State Bar Association

"Helping lawyers help people"

December 4, 2019

The Honorable Stephanie F. Stacy
Nebraska Supreme Court Justice
State Capitol, #2219
Lincoln, NE 68509

Dear Justice Stacy:

On behalf of the NSBA Judicial Resources Committee ("the Committee"), I wish to convey to the members of the Judicial Resources Commission our recommendation regarding the vacancy in the office of the County Court, 6th Judicial District, due to the retirement of Judge Matt Samuelson.

The Committee met on December 4th and weighed a number of factors including caseload, case types and most importantly, access to the trial courts for Nebraska citizens. The members of the Committee also had available the Judicial Weighted Caseload Reports ("Judicial Workload Assessment") which included statistics through June 30, 2019.

Therefore, the Committee recommends that the current vacancy in the office of the County Court, 6th Judicial District be filled, with the principle office in either Burt or Washington county.

Thank you for your consideration of the recommendations set forth herein. Please include this letter with the materials provided to the members of the Judicial Resources Commission ahead of your December 10th meeting.

Sincerely,



Steven F. Mattoon
NSBA President

Cc: Corey Steel
Liz Neeley
Hon. PaTricia Freeman

Dodge County Bar Association

Dodge County, Nebraska

81 WEST 5TH STREET

FREMONT, NEBRASKA 68025

TELEPHONE (402) 721-6160

FACSIMILE (402) 721-6198

Spencer B. Wilson, President
Kenneth F. Jacobs, Vice President

December 2, 2019

Hon. Stephanie F. Stacy, Chair
Nebraska Judicial Resources Commission
Room 2219, State Capitol
Lincoln, NE 68509

Re: Judicial Vacancy in the Sixth Judicial District

Dear Justice Stacy:

I am writing to you and the Nebraska Judicial Resources Commission in my elected position as the president of the Dodge County Bar Association. During our semiannual meeting on November 14, 2019, we discussed the current county court judicial vacancy caused by the retirement of Hon. C. Matthew Samuelson. After considerable discussion, there was motion and unanimous vote for me to write a letter on behalf of the Dodge County Bar Association in support of filling the vacancy and having this judgeship extended to assist Dodge County at least one day per week.

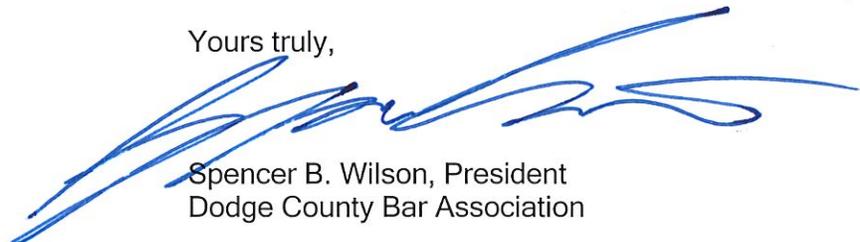
As you know, the Weighted Caseload Report for July 1, 2018 - June 30, 2019 indicates that this position carries the second highest caseload in the district, with Dodge County being the highest. Also, Washington County is one of the highest populated counties in our district. The population of this county is projected to continue to grow due to its proximity to Omaha as well as several other factors. Not filling this position would put an extreme burden on the other judges in the district and would significantly hinder the access to justice for those that appear in the counties served by this judgeship.

The second part of Dodge County Bar Association's request is that the judgeship be extended to assist Dodge County. The same Weighted Caseload Report referenced above shows the caseload for Hon. Kenneth J. Vampola at 1.26 and Judge Samuelson at .88. If the judgeship was extended to include assisting Dodge County, that would help balance out the numbers for these two adjacent positions. It would bring Judge Vampola from 1.26 to 1.07 and Judge Samuelson from .88 to 1.07. The Dodge County Bar believes that extending the judgeship to include Dodge County is a natural fit due to the close proximity between Fremont and Blair, and the fact that most of the local attorneys appear in both counties. Further, Dodge County already has the ability to handle such an extension due to the presence of a second county courtroom. We are unsure if the Judicial Resources Commission can officially mandate such an extension, however, we believe there is precedent for this extension as we are aware it has occurred with judges in Buffalo and Hall Counties.

I have shared this letter with Rachel Truhlsen, president of the Washington County Bar Association. The Washington County Bar Association agrees with its contents.

In conclusion, the Dodge County Bar Association supports retention of the vacant judgeship and we would like to see the new judge help out in Dodge County. Thank you for considering the views of the Dodge County Bar Association. If you have any questions or concerns, please contact me directly.

Yours truly,



Spencer B. Wilson, President
Dodge County Bar Association

DREW LAW FIRM P.C., L.L.O.

1612 Lincoln Street | P.O. Box 462 | Blair, Nebraska 68008 | T: 402.426.2636 | F: 402.426.2777 | www.drewlawfirm.net

December 2, 2019

Hon. Stephanie F. Stacy
Judicial Resources Commission
Room 2219, State Capitol
Lincoln, NE 68509

Re: Judicial Vacancy for the Sixth Judicial District

Dear Justice Stacy,

I am writing you regarding the County Court vacancy in the Sixth Judicial District. I have reviewed with the members of our firm, Rachel Truhlsen and Edmond Talbot the proposal set forth in Spencer B. Wilson's letter to you on behalf of the Dodge County Bar Association, dated November 25, 2019, suggesting that the judgeship obligations be expanded to include responsibilities in Dodge County.

We agree that not filling this position would put a great strain on the other three judges in the district and limit access to justice for those that appear in the counties served by this judgeship.

We further agree that an expansion of the judgeship to include assisting Dodge County would help balance out the numbers for both judgeships.

I appreciate your time and consideration of this suggestion. Please do not hesitate to call if I can be of any assistance.

Sincerely,
Drew Law Firm, P.C., L.L.O.,



David V. Drew

cc: Hon. John E. Samson
Rachel Truhlsen
Edmond Talbot

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May 14, 2019

Honorable Stephanie F. Stacy
Nebraska Supreme Court
State Capitol #2219
PO Box 98910
Lincoln NE 68509

Re: Judicial Resources Commission

Dear Justice Stacy:

I understand you are the Chairperson for the Judicial Resources Commission.

It is rumored that County Court Judge Samuelson is retiring this year. He has been a County Judge in the 6th Judicial District for approximately 20 years.

Currently Judge Samuelson sits on the bench in Washington County and Burt County. It is my humble opinion that his successor should also serve Thurston County as our District Judge John Samson does.

The history is that in the 1970s Judge Gossett, our County Court Judge, and Judge Quist, our District Court Judge, both served Washington, Burt and Thurston Counties.

In the 1980s, County Judge Neil McCullen successfully caused a change to be made so that a County Court Judge from Dakota, Dixon and Cedar Counties would also serve Thurston County.

I am providing Judge Samson with a copy of this letter since he serves with you on the Commission and is better informed to answer any questions you may have.

Respectfully,



Stuart B. Mills
SBM:kr

cc: Honorable John E. Samson
District Court Judge
1555 Colfax Street
Blair NE 68008

DIXON COUNTY COURT

Sixth Judicial District

302 3rd Street • P.O. Box 497
Ponca, Nebraska 68770

Phone (402) 755-5607

Fax (402) 755-5651

Douglas L. Luebe
County Judge

December 6, 2019

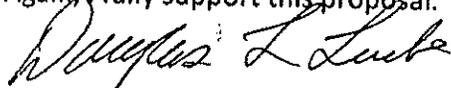
Judicial Resources Commission
Attn: Honorable Stephanie F. Stacy, Commission Chair
State Capitol Building, Room 2219
Lincoln, NE 68509

Re: Sixth Judicial District County Court Vacancy

Members of the Commission,

I support the proposal to fill the above vacancy created by the retirement of Judge Matthew Samuelson. It is my understanding the judge appointed would fulfill the judicial needs of Burt and Washington Counties, including an appropriate allocation of time to Dodge County.

Again, I fully support this proposal.



Thank you for your consideration,

Douglas L. Luebe
County Court Judge
Sixth Judicial District

DLL/QR