



PROGRAM & PROJECT QUICK LOOK

OFFICE OF DISPUTE RESOLUTION YOUTH RESTORATIVE JUSTICE

The mission of the Office of Dispute Resolution (ODR) is to enhance and advance the use of alternative dispute resolution (ADR), including mediation and restorative justice (RJ), throughout Nebraska by partnering with ODR- approved community mediation centers and others involved with ADR. RJ is an approach to justice that aims to get those who caused harm to be accountable for their actions, understand the impact of the victims, learn from their actions, and to discourage them from causing further harm. During a restorative justice conference, the youth and the person harmed talk through what happened, the impacts, and what needs to happen for the youth to make amends. When the person that caused the harm is part of creating the solution, there is a better chance of that person being successful.

ORIGIN & AUTHORIZATION:

- Neb. Rev. Stat. §§ 25-2901 to 25-2921 (Dispute Resolution Act)
- Neb. Rev. Stat §§ 43-246; 43-247.03; 43-260.06; 43-274; 43-275 to 43-276; 43-2,108.01 to 43-2,108.04; 43-286(3), (Juvenile Code. Authorize restorative justice in juvenile cases as prescribed)
- Neb. Rev. Stat §§ 79-209 to 79-258 (Student Discipline Act; authorizes referrals to restorative justice practices or services for compulsory attendance collaborative plans)

PROGRAM OVERVIEW:

RJ processes involve those harmed so that the person who committed the offense can better understand the impact of their actions. The harmed person decides if they want to participate and at what level. If they choose not to participate, there is an option to use a surrogate. A surrogate is someone who has experienced something similar and can share their perspective; a surrogate does not speak for the harmed person.

There are several different RJ processes, and they all focus on relationships and engagement. Current youth restorative justice processes available through the approved centers include:

- Victim Youth Conference (VYC): A conversation between a youth who has caused harm and victim or a victim surrogate, with the victim's safety being the main priority. The goal is to address the harms and develop a reparation agreement.
- Juvenile Justice Family Group Conference (JJFGC): An opportunity for a youth and their family to meet with a victim and their family or support group to talk through what happened, the impacts of the youth's actions, and how to repair the harm caused. The youth and their family have private time to develop a plan in which the family can support the youth in creating a reparation plan. The victim and their supports will review and can accept, with or without modifications, the reparation plan.
- Juvenile Justice Family Conference (JJFC): A meeting between a youth and their family to address issues that may be impacting the youth's success.
- Excessive Absenteeism/Tuancy Conference: A facilitated process between a student who is at risk for court involvement and their parents and school staff. The goal is to understand the root cause for the absences and create a plan to address those issues allowing the student to be successful at school.

PRIORITIES:

RJ processes are focused on:

- Reducing recidivism and addressing racial and ethnic disparities with the justice system.
- Engaging families to address issues that impact youth success and identify needed resources for both the youth and the family.
- Further evaluating youth restorative justice process outcomes.
- Developing a system that supports long-term sustainability of youth restorative justice programming.

RECENT ACCOMPLISHMENTS:

In 2021, the Administrative Office of the Courts and Probation (AOCP) was awarded a grant by the Department of Justice's Office of Juvenile Justice and Delinquency Prevention that has an upstream focus on youth RJ and providing services prior to court filing and adjudication. ODR and the approved mediation centers are focusing on outreach and stakeholder engagement to build on the work already accomplished.

In January 2018, grant funding allowed a statewide rollout of Victim Youth Conferencing, a specific RJ process. At the conclusion of the grant, the program evaluation showed that only 12.2% of youth that participated in the restorative program recidivated. Below is a highlight of the results from January 2018 through June 2021. The complete [Victim Youth Conference Program evaluation](#) is available [online](#).

Referrals to VYC	VYCs Held	Reparation Plans Created	Reparation Plans Completed*	Recidivism
871	677	668	593	12.2%

**Fulfilled all (546) or at least half (47) of terms outlined in plan.*

LOOKING FORWARD:

The ODR is focused on sustainability of RJ processes through the approved mediation centers. To assist with this work, an inter-disciplinary team from the University of Nebraska Lincoln is exploring perceptions related to RJ and barriers to referrals. The University of Nebraska Omaha's Juvenile Justice Institute will complete a program evaluation. Additionally, the Center for Juvenile Justice Reform at Georgetown University, as part of the grant's technical assistance team, is providing assistance in developing a sustainability plan that will allow the mediation centers to continue this work after the grant ends.

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REFERENCES:

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