

Nebraska Court Improvement Project

2022 Legislative Preview

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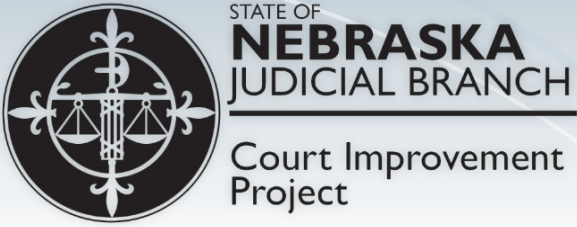
Honorable Mary "Peg" Stevens

Douglas County Separate Juvenile Court



STATE OF
NEBRASKA
JUDICIAL BRANCH

Court Improvement
Project



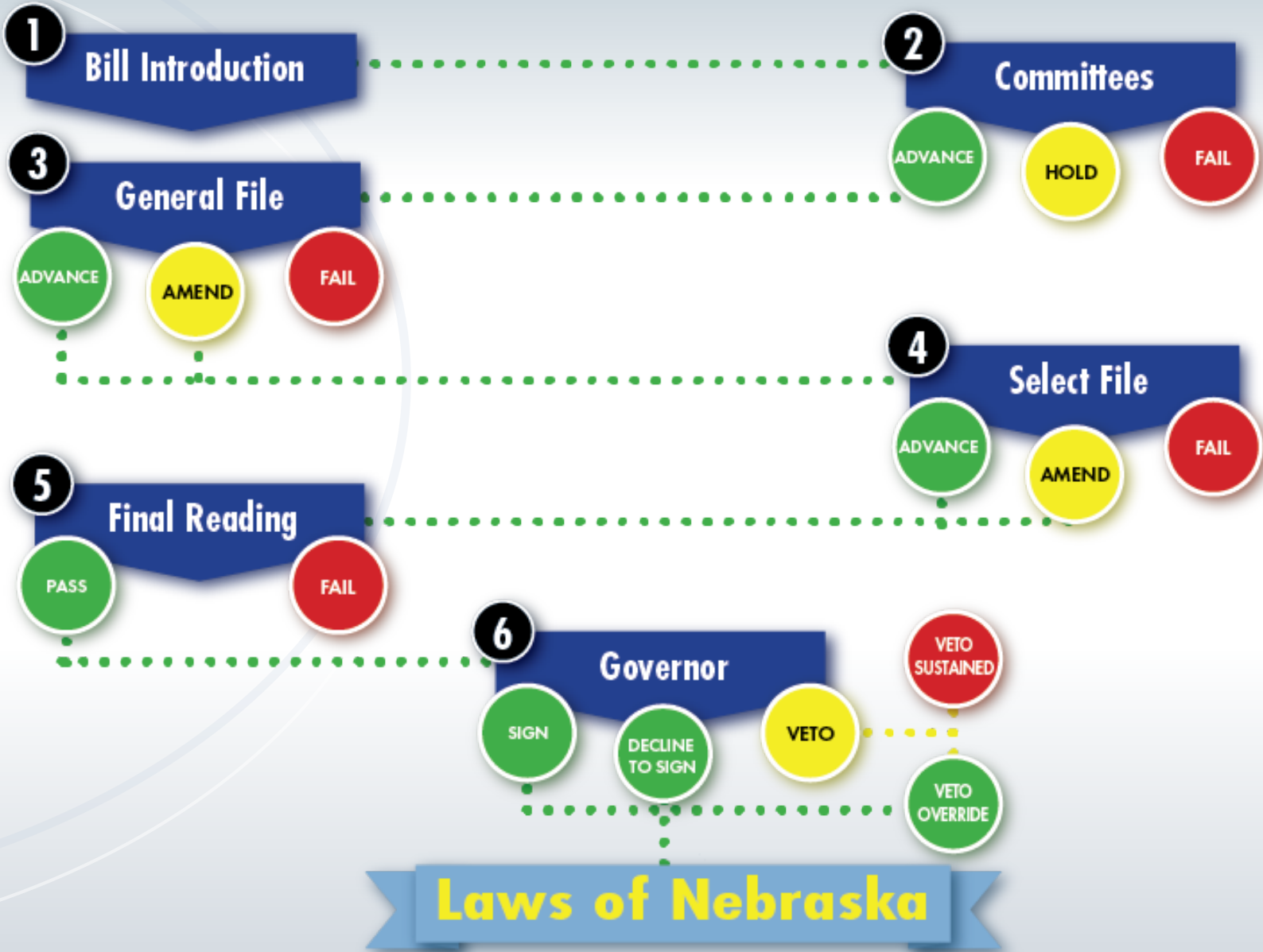
Nebraska Court Improvement Project

What is CIP?

The Nebraska Court Improvement Project (CIP) is a federally funded department under the direction of the Nebraska Administrative Offices of Court and Probation. CIP facilitates a multi-disciplinary network of judge-led teams across the state known as “Through the Eyes of the Child” initiative. Members of these teams collaborate at the local level to improve issues in the juvenile court system. The teams are guided by the Resource Guidelines published by the National Council on Juvenile and Family Court Judges (NCJFCJ), which sets out best practice standards for the juvenile court processes.

Each team selects its own projects and goals based on the needs of its community and court system. [The Court Improvement Project staff](#), under the guidance of Project Chairs, Judges Roger Heideman and Randin Roland, provides technical assistance to the local groups, [data collection and reporting](#), develop resources for the local teams, and work on a statewide basis to address concerns within the juvenile court system. The Initiative also holds [events](#), such as annual regional conferences, lecture series, webinars and trainings open to the public, court staff training, and a statewide Children's Summit every three years.

How Laws are Made in the Unicameral



2022 Legislation related to CIP goals

Subject Area	Bill/Resolution	Introducer	Description	Status
Child Welfare	LB 932	Hunt	Authorize DHHS to screen children for social security benefit eligibility	Health and Human Services 1/28/22 at 1:30PM
Child Welfare	LB 1000	Hansen	Change provisions relating to child abuse and neglect under the Child Protection and Family Safety Act and the Nebraska Juvenile Code. If a child is of sufficient maturity and physical condition, that child can engage in independent activities (walking, biking, playing outside, left home alone). The fact that a guardian/parent allows these independent activities shall not be a basis for the juvenile court to exercise jurisdiction under 43-247(3a) or to terminate parental rights under 43-292. Adds to 43-247(3a) jurisdiction to include minors who have been labor or sex trafficked.	Judiciary 3/3/22 at 1:30PM
B2i	LB 1113	McKinney	Pilot project 1/1/23-12/31/26: individual who ages out of B2i at 21 shall be eligible for the pilot project and shall receive \$1,000/month until 12/31/26.	Health and Human Services 2/9/22 at 1:30PM

Presenters' Legislation of Interest – **Sarah Helvey, JD**, Staff Attorney and Director of the Child Welfare Program Nebraska Appleseed

2022 Legislation related to CIP goals

Subject Area	Bill/Resolution	Introducer	Description	Status
Juvenile Justice	LB 732	Cavanaugh, J	Prohibits use of deception by peace officers in questioning juveniles. A statement made by a juvenile, as a result of an officer's use of deception, shall not be admissible as evidence against the juvenile in any criminal or juvenile court proceeding.	Judiciary 1/19/22 at 1:30PM
YRTC	LB 792	Lowe	Appropriate \$15,046,000 for FY2022-23 to DHHS to be used for construction, renovation, and equipment replacement at YRTC-Kearney. Funds appropriated in this manner: \$13,336,000 - Construction of 2 new housing units, with a capacity to each house 24-28 youth \$1,300,000 - Renovation of the existing Washington-Lincoln building to be repurposed for a treatment and program center \$250,000 - Replacement of the campus fire pump \$160,000 - Replacement of the kitchen service elevator	Appropriations 1/28/22 at 1:30PM
Juvenile Justice	LB 879	Cavanaugh, J	Allow juveniles to enter pleas of no contest in Juvenile Court	Judiciary 1/19/22 at 1:30PM

Presenters' Legislation of Interest – **Dennis Marks, JD**, Deputy Public Defender Sarpy County

2022 Legislation related to CIP goals

Subject Area	Bill/Resolution	Introducer	Description	Status
Juvenile Justice	LB 883	McKinney	<ol style="list-style-type: none"> 1. Require confidentiality for criminal prosecutions of minors tried as adults 2. Require a parent to be notified or that reasonable efforts be made to notify a parent before the court accepts a juvenile's plea 3. Require law enforcement to use developmentally appropriate language when issuing Miranda warnings to juveniles - provides specific language 4. Require law enforcement to immediately take measures to contact the parent whose child has been taken into custody and inform parent: juvenile in custody, juvenile's current location, and reason juvenile taken into custody 5. Require law enforcement to inform juvenile, who has been taken into custody, the efforts made to notify a parent 6. Requires law enforcement to cease interrogation if juvenile asks to speak to parent or attorney 7. Allows parent to see and consult with child alone and in private at place of custody 8. Any statement taken in violation of the section is not admissible in a criminal or juvenile proceeding 	<p>Judiciary 1/19/22 at 1:30PM</p>

Presenters' Legislation of Interest – **Dennis Marks, JD**, Deputy Public Defender Sarpy County

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Juvenile Justice	LB 879	Cavanaugh, J	Allow juveniles to enter pleas of no contest in Juvenile Court	Judiciary 1/19/22 at 1:30PM
Juvenile Justice	LB 1010	Geist	to provide for the release of certain probation information and electronic monitoring data to law enforcement	Judiciary 1/28/22 at 1:30PM

Presenters' Legislation of Interest – **Bri McLarty, JD**, Deputy County Attorney Dodge County

2022 Legislation related to CIP goals

Subject Area	Bill/Resolution	Introducer	Description	Status
Juvenile Justice	LB 879	Cavanaugh, J	Allow juveniles to enter pleas of no contest in Juvenile Court	Judiciary 1/19/22 at 1:30PM
Education	LB 1078	Hansen	Prohibits possession of personal electronic devices by students in public school classrooms	Referred to Education

Presenters' Legislation of Interest – **Honorable Mary "Peg" Stevens** Douglas County Separate Juvenile Court

2022 Legislation related to CIP goals

Subject Area	Bill/Resolution	Introducer	Description	Status
Child Welfare	LB 932	Hunt	Authorize DHHS to screen children for social security benefit eligibility	Health and Human Services 1/28/22 at 1:30PM
Child Welfare	LB 1000	Hansen	Change provisions relating to child abuse and neglect under the Child Protection and Family Safety Act and the Nebraska Juvenile Code. If a child is of sufficient maturity and physical condition, that child can engage in independent activities (walking, biking, playing outside, left home alone). The fact that a guardian/parent allows these independent activities shall not be a basis for the juvenile court to exercise jurisdiction under 43-247(3a) or to terminate parental rights under 43-292. Adds to 43-247(3a) jurisdiction to include minors who have been labor or sex trafficked.	Judiciary 3/3/22 at 1:30PM
Child Welfare/Juvenile Justice	LB 1019	McKinney	Require DHHS to establish a family resource and juvenile assessment center pilot program to provide resources to at-risk youth and to keep youth from becoming more involved in the juvenile justice system and social services system. These centers shall house multiple community providers under one roof and provide assessment and services such as tutoring, mental health services, truancy prevention, and more.	Health and Human Services 1/28/22 at 1:30PM

Presenters' Legislation of Interest – **Makesha Judson**, Deputy Director of Policy and Legislative Services, Nebraska Department of Health and Human Services

2022 Legislation related to CIP goals

Subject Area	Bill/Resolution	Introducer	Description	Status
Juvenile Justice	LB 732	Cavanaugh, J	Prohibits use of deception by peace officers in questioning juveniles. A statement made by a juvenile, as a result of an officer's use of deception, shall not be admissible as evidence against the juvenile in any criminal or juvenile court proceeding.	Judiciary 1/19/22 at 1:30PM

Presenters' Legislation of Interest – **Elizabeth Eynon-Kokrda, JD**, Managing Attorney
Education Rights Counsel

2022 Legislation related to CIP goals

Subject Area	Bill/Resolution	Introducer	Description	Status
Juvenile Justice	LB 883	McKinney	<ol style="list-style-type: none">1. Require confidentiality for criminal prosecutions of minors tried as adults2. Require a parent to be notified or that reasonable efforts be made to notify a parent before the court accepts a juvenile's plea3. Require law enforcement to use developmentally appropriate language when issuing Miranda warnings to juveniles - provides specific language4. Require law enforcement to immediately take measures to contact the parent whose child has been taken into custody and inform parent: juvenile in custody, juvenile's current location, and reason juvenile taken into custody5. Require law enforcement to inform juvenile, who has been taken into custody, the efforts made to notify a parent6. Requires law enforcement to cease interrogation if juvenile asks to speak to parent or attorney7. Allows parent to see and consult with child alone and in private at place of custody8. Any statement taken in violation of the section is not admissible in a criminal or juvenile proceeding	Judiciary 1/19/22 at 1:30PM

Presenters' Legislation of Interest – **Elizabeth Eynon-Kokrda, JD**, Managing Attorney
Education Rights Counsel

2022 Legislation related to CIP goals

Subject Area	Bill/Resolution	Introducer	Description	Status
Juvenile Justice	LB 1010	Geist	To provide for the release of certain probation information and electronic monitoring data to law enforcement	Judiciary 1/28/22 at 1:30PM
Education	LB 1211	Linehan	To change provisions relating to option enrollment	Referred to Education
Education	LB 1179	Groene	Creates the NE Integrated Juvenile Data Governing Body; this will set up a unified data system for youth involved cw and jj systems; data will come from NDE, HHS, probation, case mgmt system used by CBA juvie services, juve detention centers, state trial courts case mgtmt systems, state/local LE agencies, NE Commis on LE and Crim Jus, relevant data from cty atty offices; UNO's JJ Institute to manage	Referred to Education

Presenters' Legislation of Interest – **Elizabeth Eynon-Kokrda, JD**, Managing Attorney
Education Rights Counsel

2022 Legislation related to CIP goals

Subject Area	Bill/Resolution	Introducer	Description	Status
Child Welfare	LB 946	Wayne	Juveniles in the custody of the state or the court shall not be prescribed off-label medications. For purposes of this section, off-label medication means the unapproved use of an approved drug.	Judiciary 1/19/22 at 1:30PM
Child Welfare	LB 1014	Speaker Hilgers	ARPA money (allocated: YRTC and B2i)	Appropriations 1/25/22 at 1:30PM

Presenters' Legislation of Interest – **Aubrey Mancuso, MSW**, Executive Director, Voices for Children in Nebraska

Legislative Youth Day Panel Discussion

<https://www.nebraskachildren.org/what-we-do/connected-youth-initiative/2022-youth-legislative-day.html>

2022 Legislation related to CIP goals

Subject Area	Bill/Resolution	Introducer	Description	Status
Criminal Code	LB 34	Pansing Brooks	Change provisions relating to sentences for certain offenses committed by under 21 yr old (was 18); added the court shall consider mitigating factors	Carryover bill
Child Support lang	LB 47	Hansen	All orders to include language re show cause how to and form at sct website; added 'any known obligee shall be joined as party...' - this makes any obligee (custodial parent/usually mom) a party in interest to child support or paternity cases. Important for legal remedy issues. AM64 filed	Carryover bill
Juvenile Justice	LB 49	Hansen	Change underage smoking from class V Misd to Infraction; AM531- makes it clear that this doesn't apply to legally dispensed nicotine therapies to stop smoking	Carryover bill
Child Welfare	LB 68	Day	DHHS pays child care (fed child care subsidy program) based on enrollment not attendance	Carryover bill
Education	LB 87	Morfeld	Mental health first aid training for teachers/personnel; lottery \$ use; innovation grant changes	Indefinitely Postponed
Health Care - age of maj	LB 89	Morfeld	Persons 18 and older can make health care decisions; allows under 19 who are committed to Dept of Corr to consent to mental health, medical care and related services	Carryover bill
Adoption	LB 97	DeBoer	Change provisions relating to adoptions: allows adults to adopt children together without regard to marital status, allows children to be adopted by the spouse of their parent, or a second adult when child has a sole legal parent. Also allows for adoption of adult children by spouse of child's parent or someone they have a parent child relationship with. Lays out what must be filed with a petition for adoption.	Carryover bill
Protection Orders	LB 118	Morfeld	Changes the duration of harassment, sexual assault and domestic abuse p.o.s from 1 yr to 5 yrs; no notary needed for petition/aff just certain lang	Carryover bill

2022 Legislation related to CIP goals

Subject Area	Bill/Resolution	Introducer	Description	Status
Juvenile Justice Incarcerated pregnant	LB 119	Cavanaugh, M., Blood	Provides for breastfeeding/pumping, living together up to 2yrs, requires parent separation policy; applies to YRTC	Carryover bill
Child Welfare	LB 127	Cavanaugh, M.	Allows for changes in former wards payments by the Dept	Carryover bill
Medicaid Eligibility for minors	LB 129	McCollister	Once child is on medicaid the child stays eligible regardless of changes in resources or income	Carryover bill
Education	LB 136	Vargas	Changes procedures re short term suspensions if kiddo has been suspended before in the semester and missed 9+ days	Carryover bill
Education	LB 143	Speaker Priority Kolterman	Requires report and notice to be sent out to school (by HHS) and all interested parties (siblings too) 7 days prior to state ward changing placements; if school is changing requires new school get report and notice too; in emergency situation w/in 24 hr report and notice sent out. AM105 filed - in an emergency situation of change of placement only notice needs to be sent out no report	5/5 Signed by Gov
Education	LB 154	Speaker Priority Wayne	Statewide data tracking system for school discipline; type of disc, race, poverty, high mobility, attendance, disability, esl, etc	5/5 Signed by Gov
Paternity	LB 155	Wayne	Defined a term; paternity action allows complaint to intervene filed by alleged bio dad for child 'under 18' regardless of a legal dad. AM69	Carryover bill
Criminal Code	LB 186	Hilkemann	Lowered the age for child enticement from 14 to 16 in section 28-311.	Carryover bill

2022 Legislation related to CIP goals

Subject Area	Bill/Resolution	Introducer	Description	Status
Education	LB 198	Vargas Hunt Morfeld Pansing Brooks	Student Disc Act; student shall be given oppor to complete classwk/homework, tests..not have to attend alt school to complete class/home wk; school must accept credits from NE accrd'd insti; voice in hearing officer choice; various timelines given for notice, reports, etc...: AM645 makes it clear that a school shall accept credits earned during suspension from accredited school	Carryover bill
Juvenile Justice	LB 201	Pansing Brooks	Establishes that the juvenile court shall have original jurisdiction over all juvenile cases; some case can be transferred to county/district per new provisions; 14-less than 18 w/ alleged offense of felony, includes traffic 11+, or if 16 or 17 when offense committed	Carryover bill
Child Welfare	LB 202	Pansing Brooks Bostar Brewer Hunt +6	B2i for probation kiddos who are in court ordered out of home placement 6months before turning 19; possible hearing for contrary to the welfare lang to be heard and other provisions for kiddo to qualify for b2i, and prob and hhs responsibilities; added defense counsel as option for b2i appt'mt	Carryover bill
Education	LB 203	Pansing Brooks	No public funded university/college can ask about criminal history or juv court record on application unless otherwise required by ne law	Carryover bill
Child Welfare	LB 231	Hunt Cavanaugh J., Hansen	Prohibits conversion therapy. AM358 filed	Carryover bill
DMV Gender	Bill w/drawn LB 232	Hunt Hansen	No documentation of gender need be specified on license/permit or state id (F, M or X); gender neutral lang thru out bill; probably not Fed REAL id compliant	Transportation and Telecommunication Bill w/drawn
Adoptions - Juvenile Court	LB 245	DeBoer Wayne Wishart	Changes some provisions/procedures when child is under jurisdiction of juv court; pretty minor. AM166 filed	Carryover bill
DMV Organ Donor	LB 251	Cavanaugh, M. DeBoer Flood Hansen +7	Lowens the age to from 16 to 14 that you can choose to be donor	Carryover bill

2022 Legislation related to CIP goals

Subject Area	Bill/Resolution	Introducer	Description	Status
B2i	LB 262	Vargas Pansing Brooks	B2i available to young adults not lawfully present in US if qualify otherwise; medical coverage too if qualified under fed law; medical coverage if young adult adjudicated under 43-247(3)(a) as minor; includes tribal young adults	Carryover bill
YRTC	LB 273	Lowe - Priority	Adds lang 'or any facility operated and utilized as a youth rehabilitation and treatment center in compliance with state law' to allow for changes in placement if needed for youth: AM600 - new process for e-hearing to take place in 24hrs pending full hearing later; office of Public Counsel conducts yearly review of YRTCS: AM1003 pending, if to inpatient or subacute residential in NE hearing w/in 24hrs, court to provide notice to parties, facility to attempt to provide notice to parent	5/24 Signed by Gov
Education	LB 281	Albrecht - Priority	All new lang - each school district to adopt a child sexual abuse prevention instructional program for K-5. AM 298 - K-12, defines grooming, NDE to provide framework	Carryover bill
Juvenile Justice	LB 307	Pansing Brooks (Priority), Cavanaugh, J. DeBoer Lathrop +3	Changes provisions for waiver of counsel - court can't accept waiver unless prosecutor waives any possible pre/post adju out of home placements of youth; includes probation period and violations of; if waiver by prosecutor w/drawn youth is appt'd counsel; <u>Sct to provide court rule</u> to ensure youth are provided opportunity to consult w/ atty to assist youth in making decision to waive. AM273 (5/10 this is gone)takes the cty atty out of it, states that the court order and probation order shall affirmatively show that the juvenile cannot be removed from the home or detained outside the home.... AM1108 out west felony = appt'd counsel, retain aty language judge to parents/youth; still lang re right to appt'd counsel. amended LB 354 30 days for dist/cty judge to get order out in motion to transfer	5/24 Signed by Gov
Juvenile Justice	LB 308	Pansing Brooks	Creates the Juvenile Indigent Defense Fund; money used to provide legal services to juveniles in juvenile court, resources to assist counties in fulfilling their obligation to provide legal counsel, and pay the costs of administering the program. The money will be in the form of grants that counties apply for. One dollar is added filing fee of cases in county court, separate juvie, district, including appeals to such courts, and for each appeal and original action filed in the Ct of A and SCT.	Carryover bill

2022 Legislation related to CIP goals

Subject Area	Bill/Resolution	Introducer	Description	Status
Juvenile Justice	LB 330	Wayne	Raised the age in juvenile court to 21; changes age of charge of prostitution to under 21; firearm - raised age to 22 to petition juvenile court if adjudicated for the underlying offense; raised age from 18 to 21 (at time of offense); for arraignment in county court; allows persons under 21 prior to the effective date of this act to file a motion for transfer to juvenile court under certain conditions; extends age to less than 21 to stay under juvenile probation officer; changes definition of juvenile in Juvenile Code to person under 21, except when the context requires it to be 19 years of age - 43-247 added language 'under nineteen years of age' in various parts of statute; 43-247 makes clear highest age limit wins if juvenile court has jurisdiction under multiple sections; applies the new age to the sealing of records; age of juvenile raised from 18 to 21 in the Juvenile Services Act : <i>AM filed changing bill dramatically - now extending age to 21 only on the backend of probation (amendment not available yet 1/29)</i>	Carryover bill
Motion to Transfer to Juv Ct	LB 354	Lathrop	County or District Court judge would have 30 days after the hearing to get an order out	Amended in/ LB 307 and signed by gov
Youth in Care Bill of Rights	LB 357	Hunt	All new language ; I have some concerns with gal responsibilities when youth would also have a def atty; also YRTC kiddos are delinquencies not adjudicated under 43-247(3)(a) - I'm checking into this more but I think language should be changed. <i>AM 54 filed, made some needed changes but still issue with lang regarding gal and def atty responsibilities in my opinion</i>	Carryover bill
Developmental Disabilities	LB 376	HHS Priority Cavanaugh, M. Priority, Walz	All new language.: It is a pilot family support program for families with kids with disabilities, this includes kiddos with mental and behavioral health issues - hopefully some of these can be used as preventive services to keep kiddos in the home	Final Reading
Education	LB 417	Halloran	Authorizes possession of gun on school grounds for off-duty LE officer	Carryover bill

2022 Legislation related to CIP goals

Subject Area	Bill/Resolution	Introducer	Description	Status
Adolescent Psychiatric Unit - amended into LB 428	LB 425	HHS comm	HHS to contract for the completion of a needs assessment/cost analysis for the establishment of an inpatient adoles psych unit w/in Lincoln Regional Center.	Amended into LB428
YRTC-Kearney	LB 426	HHS comm	HHS to contract for the completion of a cost analysis for improvements/changes to YRTC Kearney	Amended into LB 380
CW/JJ substance abuse behavioral health trmt - amended into LB 428	LB 427	HHS comm	No delay of trmt to juvenile when necessary under 43-407(2) or when ordered by juvenile court by an institution under HHS supervision	Amended into LB428
YRTC	LB 428	HHS Priority	Credits from YRTC will be accepted by all NE schools; YRTC must maintain accreditation. AM566 - incorporates LBs 425, 427, 429, 570; e-clause on parts	5/24 Signed by Gov
YRTC - amended into LB 428	LB 429	HHS comm	HHS must get approval from Leg b/f making any changes to YRTCs facilities or programs	Amended into LB428
Juvenile Justice	LB 445	Hansen	Court can not accept a plea from juv unless parent/guar/cust notified; if juv says wants parent/guar/cust during police interr must wait for person to arrive unless p/g/c involved in crime related to juv's arrest or is danger to juv; notification to p/g/c of where juv is if arrested	Carryover bill
Clean Slate relief - marijuana	LB 481	McKinney, Cavanaugh, J. and M., Hansen +2	Relevant to child welfare - a parent's rights can't be termed for use/poss of marijuana as defined in Act absent clear evidence child is in danger; parent can't be denied visits/custody based only on use/poss of marijuana unless danger to child or contrary to best interests	Carryover bill
State contracts	LB 489	Cavanaugh, M.	Requires a financial stability and service capability analysis for state contracts. AM337 - gutted bill; new lang-state official/employee can only testify in the neutral unless taking unpaid leave from job: AM new lang exempted employees of Leg testifying in relation to prior amendment rules	Carryover bill

2022 Legislation related to CIP goals

Subject Area	Bill/Resolution	Introducer	Description	Status
YRTC	LB 490	Cavanaugh, M.	YRTC shall obtain license from div of public health	Carryover bill
Child Welfare - elims cw pilot in dc	LB 491	Cavanaugh, M.	Seems to get rid of 'pilot project' (st fran) in the ESA and puts HHS back in place for all cases; operative date Oct 2021	Carryover bill
Juvenile Data System	LB 492	Cavanaugh, M.	Creates the NE Integrated Juvenile Data Governing Body; this will set up a unified data system for youth involved cw and jj systems; data will come from NDE, HHS, probation, case mgmt system used by CBA juvie services, juve detention centers, state trial courts case mgmt systems, state/local LE agencies, NE Commis on LE and Crim Jus, relevant data from cty atty offices; UNO's JJ Institute to manage	Carryover bill
Disability wait list	LB 493	Cavanaugh, M.	Funds for all people on the developmental disability services waiver wait list, and also program 424 and developmental disability aid	Amended on LB 380 4/26 Signed by Gov
Child Welfare - foster paymts	LB 495	Hilkemann	Increase foster care payments;e-clause	Carryover bill
DMV	LB 517	Hunt	Gender neutral designation on operator's license and state id cards. AM 333	Carryover bill
Student Discipline Act	LB 518	Morfeld	Adds to the act - prohibits surreptitious electronic surveillance at school, includes remote learning	Carryover bill

2022 Legislation related to CIP goals

Subject Area	Bill/ ^[SEP] Resolution	Introducer	Description	Status
Education	LB 527	Speaker Priority Walz	Transition services for students w/ devel disability starts at 14 yrs of age (rather than 16)	5/24 Signed by Gov
Education, hotline #	LB 528	Education Priority Walz	Hotline # on student id cards (Atty Gen opinion 21-003 given to Walz): AM1190 (w/drawn) termed enrollment option program	5/24 Signed by Gov
Child Welfare, public asst \$	LB 533	Day	Extends the \$4000 per year exclusion in income received for participation in grant-funded research on child development when determining eligibility for TANF (aka ADC), SNAP, low-income home energy assistance program and the child care subsidy program. It moves the sunset date from December 31, 2022 to December 31, 2026.	4/7 Signed by Gov
Juvenile Justice	LB 537	Geist	New lang that undoes the 2018 legis; a 14yr old can go to YRTC if risk to physical safety of others; creates more avenues for detention of youth(gun charge, certain felony offenses, felony plus whereabouts unknown/missing/capias, run away from cust home/ct ordered placemt/unsuccful disch, any offense coupled with youth whereabouts unknown/missing/capais, poses threat to self or property of others); opens the door to put 12 and under into detention if threat to others, community or self; 43-253 - seems to take away the ability of def counsel to waive this hearing for detention if youth is already placed in an alt to detention, as well as youth not entitled to formal service of hearing probation shall ensure notice	Carryover bill
Education	LB 538	Walz	Creates the Community Schools Act; allows for establishment of some juvenile crime prevention and rehab programming but schools only have to choose 2 types of programming and there are 20+ to choose from.	Indefinitely Postponed
Foster Care Reimbursement	LB 541	Walz	Implement treatment family care level of reimbursement (makes a 4th tier of reimbursement). This applies to division of medicaid and long term care too.	General File

2022 Legislation related to CIP goals

Subject Area	Bill/Resolution	Introducer	Description	Status
Marijuana Control Act, impact on tprs	LB 546	Wayne	Created the Marijuana Control Act and Marijuana Conviction Clean Slate Act; no tpr if parents actions are lawful under the new act absent clear evidence of unreasonable danger to safety of child; no denial of cust/visits/parenting time based only on fact of person's lawful actions under new act unless unreasonable danger to child or otherwise contrary to best interests	Carryover bill
Education	LB 565	McDonnell	NDE to develop youth-initiated mentoring pilot projects in high poverty area in each congressional district	Carryover bill
Education (truancy)	LB 568	Judiciary Priority Pansing Brooks	Takes truancy out of juvenile court; kids can go to diversion programs if county has one, CBA dollars for funding stream; (an aside: juvenile court can always file on parent as ed neglect) AM264 - changed some \$ on page 33: AM1209 \$\$	Select File (filibuster, cloture motion failed)
Pilot project eval - amended into LB 428	LB 570	HHS comm	Change certain HHS model pilot project eval periods; Leg would have to complete an eval of ESA by 12/31/2021	Amended into LB428
Remote Instruction Act	LB 623	Vargas	Sets out requirements of school districts when making a virtual learning policy. This includes who must approve and using public hearings. This also includes things the policy must include and rights of the family as it pertains to digital learning.	Carryover bill
YRTC reports by Ct Admin	LB 638	HHS comm	Annual report on juveniles in the justice system will now include information on youth discharges from YRTC - specifically info on these youth's rate of recidivism, number of these youth completing, probation, number of motions to revoke, and actual revocations. Number of such juveniles accessing services provided through Program 437 (what is this?), types of services received and how many kids received each type of service.	Carryover bill
Internet	LB 656	Wayne	A city may provide internet/broadband service on a retail/wholesale basis	Indefinitely Postponed

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Behavioral Health Services	LB 762	Dorn	State intent regarding appropriations to DHHS. Provides a rate increase for behavioral health services of 10% for FY2022-23 to: Agency No. 25, Department of Health and Human Services Program 344, Children's Health Insurance, Program 348, Medical Assistance, and Program 349, Medicaid Expansion Aid	Appropriations 1/31/22 at 1:30PM
Victims of assault and child abuse	LB 772	Day	Prohibits health care providers, emergency medical services providers, lab, or pharmacy from taking certain debt collection actions against victims of sexual assault, domestic assault, and child abuse	Judiciary 2/25/22 at 1:30PM
Employment of minors under 16	LB 780	Gragert	No child under 16 shall be employed within NE unless the person or corporation employing the child procures and keeps on file an employment certificate and keeps 1 complete list of all children employed in the building on file in the building where the child is employed.	Business and Labor 1/24/22 at 1:30PM
YRTC	LB 792	Lowe	Appropriate \$15,046,000 for FY2022-23 to DHHS to be used for construction, renovation, and equipment replacement at YRTC-Kearney. Funds appropriated in this manner: \$13,336,000 - Construction of 2 new housing units, with a capacity to each house 24-28 youth \$1,300,000 - Renovation of the existing Washington-Lincoln building to be repurposed for a treatment and program center \$250,000 - Replacement of the campus fire pump \$160,000 - Replacement of the kitchen service elevator	Appropriations 1/28/22 at 1:30PM
Room confinement of juveniles	LB 810	Cavanaugh, J	Change provisions relating to room confinement of juveniles and required reports	Judiciary 1/19/22 at 1:30PM
Caregiver diversion & conditional release for preg/post inmates (juveniles too)	LB 831	Cavanaugh, M.	Provide for caregiver diversion programs and conditional release of pregnant and postpartum inmates	Judiciary 1/27/22 at 1:30PM

2022 Legislation related to CIP goals

Subject Area	Bill/Resolution	Introducer	Description	Status
Juvenile Justice	LB 879	Cavanaugh, J	Allow juveniles to enter pleas of no contest in Juvenile Court	Judiciary 1/19/22 at 1:30PM
Detention Facilities	LB 881	McKinney	Require Juvenile Detention facilities to supply feminine hygiene products to females free of charge	Referred to Revenue
Juvenile Justice	LB 883	McKinney	1. Require confidentiality for criminal prosecutions of minors tried as adults 2. Require a parent to be notified or that reasonable efforts be made to notify a parent before the court accepts a juvenile's plea 3. Require law enforcement to use developmentally appropriate language when issuing Miranda warnings to juveniles - provides specific language 4. Require law enforcement to immediately take measures to contact the parent whose child has been taken into custody and inform parent: juvenile in custody, juvenile's current location, and reason juvenile taken into custody 5. Require law enforcement to inform juvenile, who has been taken into custody, the efforts made to notify a parent 6. Requires law enforcement to cease interrogation if juvenile asks to speak to parent or attorney 7. Allows parent to see and consult with child alone and in private at place of custody 8. Any statement taken in violation of the section is not admissible in a criminal or juvenile proceeding	Judiciary 1/19/22 at 1:30PM
Child Welfare	LB 932	Hunt	Authorize DHHS to screen children for social security benefit eligibility	Health and Human Services 1/28/22 at 1:30PM
Child Welfare	LB 946	Wayne	Juveniles in the custody of the state or the court shall not be prescribed off-label medications. For purposes of this section, off-label medication means the unapproved use of an approved drug.	Judiciary 1/19/22 at 1:30PM

2022 Legislation related to CIP goals

Subject Area	Bill/Resolution	Introducer	Description	Status
Child Welfare	LB 1000	Hansen	Change provisions relating to child abuse and neglect under the Child Protection and Family Safety Act and the Nebraska Juvenile Code. If a child is of sufficient maturity and physical condition, that child can engage in independent activities (walking, biking, playing outside, left home alone). The fact that a guardian/parent allows these independent activities shall not be a basis for the juvenile court to exercise jurisdiction under 43-247(3a) or to terminate parental rights under 43-292. Adds to 43-247(3a) jurisdiction to include minors who have been labor or sex trafficked.	Judiciary 3/3/22 at 1:30PM
Child Welfare/Juvenile Justice	LB 1019	McKinney	Require DHHS to establish a family resource and juvenile assessment center pilot program to provide resources to at-risk youth and to keep youth from becoming more involved in the juvenile justice system and social services system. These centers shall house multiple community providers under one roof and provide assessment and services such as tutoring, mental health services, truancy prevention, and more.	Health and Human Services 1/28/22 at 1:30PM
Juvenile Justice	LB 1051	Cavanaugh	Allows juveniles adjudicated in juvenile court for a concealed weapon offense to file a motion to set aside the conviction	Judiciary 2/2/22 at 1:30PM
Videoconferencing in Court	LB 1053	Lathrop	Expands and clarifies situations in which Judge has discretion to allow parties to appear by videoconferencing for hearings	Judiciary 2/17/22 at 1:30PM
Behavioral Health Services	LB 1066	Stinner	Appropriate funds for behavioral health care services - increase number of providers, provide access in rural areas, and expand telehealth services in rural areas	Appropriations 2/22/22 at 1:30PM
Behavioral Health Services	LB 1075	Stinner	Appropriate funds to support pediatric mental health services through telehealth and telemonitoring	Appropriations 2/25/22 at 1:30PM
Child Welfare	LB 1076	Stinner	Appropriate funds to DHHS to develop software to streamline coordination of care for children with medically complex conditions enrolled in Medicaid	Appropriations 2/25/22 at 1:30PM

2022 Legislation related to CIP goals

Subject Area	Bill/Resolution	Introducer	Description	Status
Schools	LB 1078	Hansen	Prohibits possession of personal electronic devices by students in public school classrooms	Referred to Education
B2i	LB 1113	McKinney	Pilot project 1/1/23-12/31/26: individual who ages out of B2i at 21 shall be eligible for the pilot project and shall receive \$1,000/month until 12/31/26.	Health and Human Services 2/9/22 at 1:30PM
Child Welfare - Title IV-E	LB 1173	Health and Human Services Committee	Create a work group to develop a practice and finance model for child welfare system transformation in NE. Model shall include evaluation of NE's IV-E claiming practices and identification of steps to optimize federal reimbursement.	Health and Human Services 2/9/22 at 1:30PM
Juvenile Justice	LB 1197	McDonnell	Appropriate funds to the Department of Correctional Services for grants to mentor justice-involved individuals	Appropriations 2/2/22 at 1:30PM

Legislative Resolutions - 2021 Legislative Session - 1st session

Subject Area	Bill/Resolution	Introducer	Description	Status
Voting	LR 3CA	Slama	Verification of picture id prior to voting	Carryover
Term Limits in Legislature	LR 18CA	Exec Bd Priority resolution Wayne	Increase to 3 consecutive terms	Carryover
YRTC oversight	LR 25	Exec Bd Priority resolution HHS comm	Provide for appointment by the Executive Board of a special committee of the Legislature to be known as the Youth Rehabilitation and Treatment Center Special Oversight Committee of the Legislature	Speaker Signed
	LR 29	Exec Bd Priority resolution M. Cavanaugh	Provide for appointment by the Executive Board of a special committee to be known as the Eastern Service Area Child Welfare Contract Special Investigative and Oversight Committee of the Legislature. AM595 - oversight committee, report to Leg by 12/31/21; AM771 Exec Bd must authorize any subpoenas the committee issues	Speaker signed

Legislative Resolutions - 2022 Legislative Session - 2nd Session

Subject Area	Bill/Resolution	Introducer	Description	Status
Child abuse/neglect in licensed child care facilities	LR 266	Day	Interim study to examine Nebraska's processes relating to investigation of reports of child abuse or neglect in licensed child care facilities	Introduced 1/5/22

Other - 2021 Legislative Session - 1st session

Subject Area	Bill/Resolution	Introducer	Description	Status
State Holiday	LB 29	Wayne	Juneteenth off	General File
Insulin	LB 30	Wayne	Insulin \$100	Carryover bill
State Holiday	LB 577		Election day	Carryover bill
Social Security income	LB 64	Priority Kolterman	AM 473 10yr approach to no state income tax; AM 1360 step down to only 50% taxed by 2025, then intent lang of getting to 100% in 5 more yrs	5/25 Signed by Gov
Housing	LB 320	Priority Cavanaugh, J	Amended LBs 45, 46, 246, 268, 277 and 402; DV victim released from lease; notice requiremts for eviction and entry into home; SCT to provide report of evictions to Leg every 6mons; other provisions	5/5 Signed by Gov
State Holiday	LB 349	McKinney	Malcolm X Day	Carryover bill
NE Fair Employment Practice	LB 451	Priority McKinney	Include characteristics associated with race, culture, and personhood within definition of race, including hair texture and protective hairstyles under the Nebraska Fair Employment Practice Act, and change provisions relating to unlawful employment practices	5/5 Signed by Gov
SNAP, cliff effect	LB 108	Priority McCollister	SNAP benefits, assisting with the cliff effect	3/9 General File 4/14 E/R 4/20 Select File 5/4 Final Reading 5/21 Presented to Gov 5/24 Vetoed by Gov
Education - financial literacy	LB 452	McKinney	Financial literacy requirement for elementary - HS	5/25 Signed by Gov

Other - 2022 Legislative Session - 2nd session

Subject Area	Bill/Resolution	Introducer	Description	Status
Sexual contact when condom has been removed	LB 692	Blood	Prohibits a person from causing sexual contact when a condom has been removed without consent. Victim can bring a civil action.	Judiciary 3/3/22 at 1:30PM
Continuous Glucose Monitoring Devices	LB 698	Kolterman	No later than January 1, 2023, the department shall provide coverage for continuous glucose monitors under the medical assistance program for all eligible recipients who have a prescription for such device.	Health and Human Services 2/10/22 at 1:30PM
SNAP/TANF	LB 710	McCollister	Change provisions relating to federal SNAP eligibility. Asset limits for TANF eligibility eliminated.	Health and Human Services 2/23/22 at 1:30PM
Racial impact statement for bills	LB 814	McKinney	Require the office of Legislative Research to prepare racial impact statements for legislative bills	Executive Board 1/26/22 at 12:00PM
Social Security income	LB 825	Lindstrom	Beginning with taxable years beginning or deemed to begin on January 1, 2022, such income would be deducted from adjusted gross income as follows: • Tax Year 2022 40% deduction • Tax Year 2023 60% deduction • Tax Year 2024 80% deduction • Tax Year 2025 100% deduction LB 825 would repeal the 5 year look back enacted with LB 64 (Lindstrom, 2021)	Select File
Child Care Subsidy Funding	LB 865	DeBoer	Allocate federal COVID funds to DHHS for child care subsidy program	Health and Human Services 2/11/22 at 1:30PM
Education - student dress	LB 872	Brewer	Auhorize students to wear tribal regalia at school	Education 1/24/22 at 1:30PM
Contraceptives	LB 1129	Morfeld	State shall provide free contraceptives for women as prescribed	Health and Human Services 2/24/22 at 1:30PM
Child Care Funding	LB 1203	Briese	Appropriate federal funds for child care programs, including consultation services to address behavioral health issues of young children	Appropriations 3/1/22 at 1:30PM
Education - IEP	LB 1212	Linehan	IEPs and any funding used to carry out the IEP shall follow the student to any other school the child attends, regardless if the school is public or private	Referred to Education

Nebraska Court Improvement Project

CLE Credit Activity Number:

225306

1.0 Credit Hours Approved by
Nebraska Attorney Services



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Nebraska Court Improvement Project

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