

COMPLEX ISSUES IN JUVENILE COURT PRACTICE XIII

FRIDAY OCTOBER 29, 2021

MIKE and JOSIE HARPER CENTER

602 NORTH 20TH STREET

CREIGHTON UNIVERSITY

OMAHA, NE

CO-SPONSORED BY:

CREIGHTON UNIVERSITY SCHOOL OF LAW

and

THE GUARDIAN AD LITEM PROJECT, INC.

NEBRASKA CLE:

ACTIVITY # 217240

IOWA CLE:

ACTIVITY # (pending)

COMPLEX ISSUES IN JUVENILE COURT PRACTICE XIII

Now in its 13th year, this seminar addresses more advanced areas of juvenile court practice. This year, we are honored to offer presentations by several judges, including two from the Nebraska Court of Appeals, who will present strategies for how to improve the prosecution of appeals.

Achieving timely permanency is a critical issue in child welfare cases. This year's seminar features two panels that will address this issue, one from the bench and one from the bar. The panel of juvenile court judges will discuss barriers to permanency for children from the perspective of the bench. The second is a panel of highly-experienced child welfare attorneys who will discuss strategies for removing barriers to permanency.

There is as much need for zealous representation juveniles involved in delinquency and status-offense cases, as there is in abuse-neglect cases. A panel of experienced attorneys will offer their insights on the ethical duties surrounding the representation of juveniles involved in delinquency and status-offense cases.

This year's seminar also includes a presentation from the "Educational Rights Counsel," an organization whose goal is to generate systemic change in Nebraska by equalizing access to advocacy and legal representation for under-resourced families with a focus on special education support and student discipline.

This seminar is co-sponsored by Creighton University School of Law and the Guardian ad Litem Project, Inc., a Nebraska non-profit corporation. Lunch will be provided to those attending in person.

Upon registering, *pending approval by the publisher*, attendees may also choose to receive a link to order a copy of *Juvenile Court Law and Practice* (Thomson-Reuters Pub., 16th Ed., 2021-2022) by Christine P. Costantakos, at a specially discounted rate.

The seminar will be held at the Mike and Josie Harper Center located on the Creighton University campus at 602 N. 20th Street. Parking is available in the lot immediately to the south of the building and also in the lot immediately east of the law school.

Attendees may elect to attend the seminar by remote means.

Nebraska has approved this seminar for 7.0 hours of CLE credit which includes 1.0 hour of Professional Responsibility/Ethics credit. Application is pending with the State of Iowa for CLE credit. Credit may also be requested from the Administrative Office of the Nebraska Supreme Court to meet the 3-hour annual Guardian ad Litem Training Requirement.

REGISTRATION INFORMATION

Registration Fee: \$100.00

Register online by contacting **Colin Dworak** at:

ColinDworak@creighton.edu or at **(402) 280-4062**

You will be able to designate whether you are attending in person or remotely; and whether you are interested in ordering a copy of *Juvenile Court Law and Practice* (Thomson-Reuters Pub., 16th Ed., 2021-2022) by Christine P. Costantakos, if a specially discounted rate is approved by the publisher.

Friday, October 29, 2021

8:15 a.m.- 8:40 a.m.	REGISTRATION
8:40 a.m.-8:45 a.m.	Welcome <i>Craig Dallon</i> <i>Assoc. Dean Creighton University School of Law</i>
8:45 a.m.-9:45 a.m.	Increasing Your Appeal! <i>Hon. Francie Riedmann</i> <i>Hon. Lawrence Welch, Jr.</i>
9:45a.m.-10:45a.m.	Legal Rights and Remote Hearings <i>Chris Costantakos, J.D.</i>
10:45 a.m.-11:00 a.m.	BREAK
11:00 a.m.-12:00 p.m.	Reducing Delays in Permanency: Part 1 The Attorney's Perspective <i>Josh Barber, J.D.; Julie Frank, J.D.; Elizabeth McClelland, J.D.</i>
12:00 a.m.-12:45 p.m.	LUNCH
12:45 p.m.-1:45 p.m.	Reducing Delays in Permanency: Part 2 The Judge's Perspective <i>Hon. Vernon C.R. Daniels; Hon. Anne Paine; Hon. Randin R. Roland</i>
1:45 p.m.-2:30 p.m.	Survey of law update <i>Jeffrey Wagner, J.D.</i>
2:30 p.m.-2:45 p.m.	BREAK
2:45 p.m.-3:15 p.m.	Introduction: Educational Rights Council in Juvenile Court Cases <i>Lauren Micek Vargas; Elizabeth Eynon-Kokrda</i>
3:15p.m.-4:00 p.m.	Domestic Violence in Child Welfare: A Problem-solving Court Experience <i>Hon. Elise White</i>
4:00 p.m.-5:00 p.m.	Zealous Representation of Juveniles in Delinquency & Status-offense cases <i>Stu Dornan, J.D.; Karen Nelson, J.D.; Yvonnda Summers, J.D.</i>

FACULTY

Judges

Hon. Vernon C.R. Daniels, a University of Nebraska College of Law graduate, has served as a judge of the Separate Juvenile Court of Douglas County, Nebraska, for 10 years. He is a member of the Nebraska Supreme Court Commission on Children in the Courts as well as the Governor's Children's Task Force. He has served on the Supreme Court-Nebraska State Bar Association's Minority and Justice Task Force and now serves on the Implementation Committee of that Task Force. Judge Daniels is also a member of the steering committee of the "Building Bright Futures" initiative. He was a member of the Commission on Juvenile Diversion, Detention, and Probation Uniform Standards, as well as a board member for the Boy Scouts Diversion Program. He also co-chairs the Juvenile Detention Alternatives Initiative for the Annie E. Casey Foundation for Douglas County. Judge Daniels enjoys mentoring new attorneys and law students.

Hon. Anne Paine holds a degree in English Education from Kearney State College in 1984, and her juris doctorate from the University of Nebraska College of Law in 1988. She practiced law from 1988-2007 after she became a County Judge in the Eleventh Judicial District, based out of McCook. She currently serves in Red Willow, Furnas, Hitchcock, Hayes and Frontier Counties as well as doing conflict cases in Dawson County. Judge Paine is a member of the Nebraska Supreme Court Commission on Children in the Courts and the Judicial Resource Commission, and serves as lead judge for the 11th District Team 3 Through the Eyes of the Child Team.

Hon. Francie Riedmann graduated from Creighton School of Law in 1993, after which she worked in private practice until 2012, when she was appointed to the bench by Governor Heineman, representing the 3rd Judicial District. She serves as the co-chair for the Nebraska Supreme Court Commission on Children in the Courts and co-chair of the Nebraska Supreme Court Commission on Guardianships and Conservatorships. Judge Riedman also coaches a high school mock trial team. In her spare time, she enjoys running and cooking, but not as much as she enjoys spending time with her three kids.

Hon. Randin R. Roland graduated from Creighton School of Law in 1993, and afterward, engaged in private practice in South Dakota. From 1995-2006 he was employed in the Cheyenne County Attorney's office in Sidney, Nebraska, and served as its chief deputy from 2003-2006. He is presently the presiding judge of the county court of 12th Judicial District.

Hon. Lawrence Welch, Jr., graduated from Creighton School of Law in 1994, and engaged in private practice until 2018, at which time he was appointed to the bench by Governor Ricketts, representing the 5th Judicial District. He serves on the Nebraska Supreme Court Technology Committee and the Nebraska Supreme Court SCCALES Automation committee. He also coaches a high school mock trial team and several boys' soccer teams. In his spare time, he enjoys playing golf, watching sports, and spending time with his wife and three kids.

Hon. Elise M. W. White has served as Judge in the Separate Juvenile Court of Lancaster County, Nebraska since April of 2020. She is currently the lead judge for the Safe and Healthy Families

Court (domestic violence track) as well as the lead judge for the child welfare section of the Lancaster County Through the Eyes of the Child committee. She also serves on a variety of Nebraska Supreme Court committees and commissions. Prior to coming to the bench, she was in private practice focusing on juvenile law, family law and elder law.

Attorneys

Joshua D. Barber, J.D., is a member of the firm of Barber & Barber, P.C., L.L.O., in Lincoln, Nebraska. Josh has extensive practice experience in juvenile court matters representing parents and also juveniles as a guardian ad litem, and juveniles in delinquency and status offense cases. He is knowledgeable and skilled handling in immigration matters, criminal defense cases, and civil litigation, including civil rights violations.

Chris Costantakos, J.D., a member of the Guardian ad Litem Project, Inc., and a Creighton Law graduate, has practiced extensively in the area of juvenile court law for over 30 years. She is the author of *Juvenile Court Law and Practice*, a Nebraska practice manual (Thomson-Reuters) now in its 16th edition. A member of the Nebraska Supreme Court Commission on Children in the Courts, she chairs its Guardian ad Litem Subcommittee. She received the “Shining Light Award” from the Nebraska State Bar Foundation in 2013 for excellence in legal research f her book.

Stu Dornan, J.D., has more than 38 years trial experience. Before beginning his legal career, Stu served as a FBI Special Agent. From 2003 to 2006, he served as Douglas County Attorney in Omaha, Nebraska. His private practice experience is extensive in Criminal Defense with a substantial portion of his practice in federal court. He is licensed in Louisiana, Texas, Nebraska and Iowa and has been admitted to practice in numerous state and federal courts, including the United States Supreme Court. Stu served as a Nebraska Equal Opportunity Commission (NEOC) Hearing Examiner and has civil experience in civil rights, family law and forfeiture law. He has received numerous awards over the years relating to his legal abilities.

Julie Frank, J.D., practices law in Omaha, NE, having been licensed to practice law in Nebraska since 1979. She generally practices in the areas of Juvenile Law and Criminal Defense. Julie has handled all aspects of Juvenile Cases, including acting as special prosecutor, parent’s attorney, child’s attorney, as well as GAL for both parents and children. She has met all of the training requirements to act as a Guardian ad Litem in Juvenile and Probate proceedings.

Lauren Micek Vargas, J.D., & Elizabeth Eynon-Kokrda, J.D., are founding co-counsels for the Education Rights Counsel, a non-profit advocating for educational equity for PK-12 school students in Nebraska. **Lauren** is Executive Director, starting her career in New York City as a special education teacher and development coach. Since graduating from Creighton Law School in 2015, Lauren practiced as an Assistant Public Defender in Douglas County, focusing upon juvenile law and criminal defense. Her experience in the education sector and juvenile court cultivated her passion to improve education outcomes and legal access for all children. **Elizabeth** is the Managing Attorney for the non-profit, and focuses her private law practice on education issues, labor and employment, and general corporate law, and primarily represents teachers, students, & families. As an education attorney for over 20 years, she has served as the Chair of the National Council of School Attorneys and President of the Nebraska

Council of School Attorneys. Her extensive legislative experience developed her passion to improve education laws at the state and federal level. Elizabeth was elected by her peers for inclusion as Best Lawyers in America for her work in education law every year since 2007. She is licensed in Nebraska, Iowa and before the United States Supreme Court.

Elizabeth McClelland, J.D., is a 2011 UNL Law Graduate. Elizabeth served as a Deputy County Attorney in Douglas County from 2013 to 2019 before going into private practice in early 2019. Currently, she serves as a guardian ad litem for children and parents, as well as an attorney for children in Douglas County Separate Juvenile Court. She has served as a committee member on the Unified Family Court Pilot Project as well as the Judicial Nominating Committee. Elizabeth also works with the Concord Mediation Center facilitating Family Group Conferences in Omaha. She is a member of the Guardian ad Litem Project, Inc.

Karen S. Nelson, J.D., joined Burnett Wilson Law as a partner in January 2016, and is a part of the firm's family law team. She earned her Bachelor of Arts Degree, *magna cum laude*, from Coe College in Cedar Rapids, Iowa in 1991, and her Juris Doctor, *cum laude*, from Creighton University School of Law in 1994, after which she clerked for Judge Richard Sievers at the Nebraska Court of Appeals. Prior to entering private practice in 2005, Karen spent eight years as Deputy Douglas County Attorney in Omaha, Juvenile Division, where she prosecuted many complex juvenile law cases and gained valuable appellate experience. Karen has extensive experience in family law, guardianship and conservatorship cases, and adoption cases; as well as criminal defense. Karen is a co-author of the chapter on disabilities in the Family Law Practice Manual published in 2019 by the Nebraska State Bar Association.

Yvonnda Summers, J.D., an Omaha native, has been an attorney for 7 years and has been practicing criminal defense for 6 years as a Public Defender. In Virginia, Yvonnda was integral in establishing the Mental Health Court, served juveniles charged with delinquencies and handled misdemeanor and felony cases. She represents juveniles in status and delinquency cases, is a parent-attorney in neglect filings, and practices in the County and District courts of Douglas County. She is a member of the historically black service sorority Delta Sigma Theta Inc., earned top awards in Juvenile Offender Law, represented her law school class as the commencement speaker, and was awarded for her outstanding service to the community.

Jeffrey A. Wagner, J.D., a 1993 graduate of Creighton University School of Law, is the head guy in the firm of Wagner, Meehan & Watson, L.L.P. Jeff has practiced extensively in the area of juvenile court law for 28 years, serving as a guardian ad litem for children, and also providing legal representation for parents, juveniles, interveners, and Indian tribes. He has been involved with precedent-setting cases such as *In re Interest of Borius H.* (evidence required at detention hearings) and *In re Interest of Danielle D.* (parent's right of confrontation in juvenile proceedings). In addition to his work in the juvenile courts, Jeff has an extensive family law and criminal law practice. He has also litigated matters against the State under the political subdivision tort claims act regarding negligence by the Nebraska Department of Health and Human Services.