

Approved: 
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Juvenile Administrative Override Probation Policy

I. Policy

Juvenile Administrative Override Probation is a supervision approach intended for juveniles who are considered to be at a low risk for delinquent behavior (including Juvenile Interstate Compact Transfer In cases.) This supervision level is most successful when reactive supervision is combined with the necessary service referrals.

Juvenile Administrative Override Probation cases shall fit into one of the following definitions:

- A. Traffic case (not to include Driving Under the Influence, Motor Vehicle Homicide, Felony Driving Under Suspension.)
- B. Bench Probation term of 3 months or less.
- C. As ordered by a Judge.
- D. Juveniles while in an out-of-state facility for placement or treatment during probation transferred through [Interstate Compact on the Placement of Children](#).

II. Purpose

To provide a foundation for Juvenile Administrative Override Probation.

III. Reference

[Neb. Rev. Stat. § 29-2258](#)

[Neb. Rev. Stat. § 43-2,108](#)

[Neb. Rev. Stat. § 43-246](#)

[Neb. Rev. Stat. § 43-247](#)

[Neb. Rev. Stat. § 43-248](#)

[Neb. Rev. Stat. § 43-286](#)

[Neb. Rev. Stat. § 43-286.01](#)

IV. Procedure

Juveniles and parent(s)/guardian(s) shall be advised of Juvenile Administrative Override Probation expectations as part of the initial district supervision set-up, and each juvenile and family shall participate in planning the juvenile's case plan while on probation. Case Plans shall address presenting problems and identify appropriate interventions.

A. Services

Services are the resources necessary to address and reduce criminogenic risk factors and recidivism. Service delivery is accomplished through a variety of methods including staff delivery, as well as brokering and contracting with agencies in the community. Some of these services include but are not limited to:

1. [The Supreme Court Rule, Chapter 6, Article 13 which outlines the Standardized Model for the Delivery of Substance Abuse Services](#)

B. Direct Probation

1. All juveniles reporting to the probation office as a result of being placed on direct probation at disposition shall be required to provide basic demographic and contact information.

C. Reassessment

1. Juvenile Administrative Override Probation cases shall not be reassessed routinely unless required due to a new law violation, an identified need for increase in supervision level, or return to the state from an out of state facility. Reassessment upon return from an out of state facility shall occur within seven days of return.

D. Transition

1. General Transition

Prior to the reclassification of a juvenile to either a higher level of supervision or to a lower level of supervision, the probation officer shall consider:

- a) The juvenile's status as it applies to their outcome measures
- b) Documented indicators of progress or regression in their treatment program
- c) Criminogenic risk domains identified as high
- d) The juvenile's current stage of change

2. Transition/Planning Summary Narrative

Details of the juvenile's current status and any recommendations for future considerations shall be documented in the Nebraska Probation Information System.

3. Transitions for Absconders

Any juvenile who absconds (defined as the juvenile being absent from his/her approved place of residence or employment with the intent of avoiding supervision for a period of fifteen (15) days) shall be subject to the issuance of an arrest and detention authorization per [Neb. Rev. Stat. § 43-286](#) and the case shall be moved to an administrative level of supervision.

E. Response to Non-Compliance

Administrative Sanctions shall be imposed to address juvenile incidents of non-compliance with supervision as per [Neb. Rev. Stat. § 43-286.01](#), Probation; violation; procedure and as outlined in the [Juvenile Responsive Case Management Policy](#).

F. Sanctioned Forms of Release from Probation

Probation officers shall request a formal discharge of probationers from their respective orders of probation either by early release, satisfactory release, or unsatisfactory release.

Note: Although there is no statutory provision for an unsatisfactory release from probation, many courts and the Administrative Office of Probation recognize the value of such a release. Whereas an unsatisfactory release may present adverse repercussions for the probationer who later appears before a court on another matter, such an unsatisfactory release shall not be prepared nor presented to the court unless a hearing is first held affording the individual the opportunity to show cause why such a release shall not be granted, the probationer signs a waiver to such a hearing or fails to attend a scheduled hearing on the matter.

G. Juvenile Confidentiality

All probation related information shall be held in strict confidentiality, consistent with the [Juvenile Confidential Record Information and Sealed Records Policy](#).