

## Nebraska Children's Commission

Twenty-eighth Meeting  
October 21, 2014  
9:00 AM – 12:00 PM  
Country Inn & Suites, Omaha Room  
5353 North 27<sup>th</sup> Street, Lincoln, NE

### Call to Order

Karen Authier called the meeting to order at 9:02 a.m. and noted that the Open Meetings Act information was posted in the room as required by state law.

### Roll Call

Commission Members present: Pam Allen, Teresa Anderson, Karen Authier, Beth Baxter, Holly Brandt, Jennifer Clark, Candy Kennedy Goergen, Gene Klein, Andrea Miller, David Newell, Deb O'Brien, Mary Jo Pankoke, Dale Shotkoski, Susan Staab, and Diana Tedrow (9:05 a.m.).

Commission Members absent: Kim Hawekotte and Norman Langemach.

Ex Officio Members present: Senator Kathy Campbell, Senator Colby Coash (9:05 a.m.), Hon. Linda Porter, Thomas Pristow, Julie Rogers, and Vicky Weisz (9:05 a.m.).

Ex Officio Members absent: Ellen Brokofsky, Senator Jeremy Nordquist, and Kerry Winterer.

Also in attendance: Bethany Connor and Leesa Sorensen from the Nebraska Children's Commission.

### Approval of Agenda

A motion was made by Mary Jo Pankoke to approve the agenda, as written. The motion was seconded by Gene Klein. Voting yes: Pam Allen, Teresa Anderson, Karen Authier, Beth Baxter, Holly Brandt, Jennifer Clark, Candy Kennedy Goergen, Gene Klein, Andrea Miller, David Newell, Deb O'Brien, Mary Jo Pankoke, Dale Shotkoski, and Susan Staab. Voting no: none. Kim Hawekotte, Norman Langemach, and Diana Tedrow were absent for the vote. Motion carried.

### Approval of September 16, 2014, Minutes

A motion was made by Beth Baxter to approve the minutes of the September 16, 2014, meeting as written. The motion to approve the minutes was seconded by Mary Jo Pankoke. Voting yes: Pam Allen, Teresa Anderson, Karen Authier, Beth Baxter, Holly Brandt, Jennifer Clark, Candy Kennedy Goergen, Gene Klein, Andrea Miller, David Newell, Deb O'Brien, Mary Jo Pankoke, Susan Staab, and Diana Tedrow. Voting no: none. Dale Shotkoski abstained. Kim Hawekotte and Norman Langemach were absent. Motion carried.

**Chairperson's Report**

Karen Authier provided a very brief chair's report by noting that she had been out of town on vacation and had returned home the night before the Commission meeting. Karen noted that her family and the ocean were all great.

**Legislative Update**

Senator Kathy Campbell reminded Commission members of the upcoming interim study hearings and noted that the dates and times for hearings are listed in the September 16 meeting minutes. She noted that the next hearing that may be of interest to Commission members is scheduled for October 24 at 9:00 a.m. The hearing on LR 533 is an interim study to assess the enrollment of former foster youth in the new Medicaid category for youth formerly in foster care up to age 26. The hearing on LR 539 is after that, and examines whether the maximum payment rate in the Aid to Dependent Children program is adequate to meet the goals of the Temporary Assistance for Needy Families program, including keeping children in their own home. Senator Campbell also noted that the hearing on LR 592 would be in the afternoon on October 24 and it examines various methods of behavioral health workforce development.

Senator Campbell also provided information on the public hearing on the Guardian ad Litem (GAL) system and noted that the hearing provided a good record on the issues to be considered. Senator Campbell asked Commission members to get in contact with her office if they had anything to add to the GAL discussion.

Karen Authier then encouraged Commission members to consider attending or listening to the hearings through the internet. Karen noted that hearings provide a good head start for understanding the issues that Commission members will be asked to make recommendations on in the future. Karen also noted that Bethany was working on a summary of the GAL hearing testimony.

**DHHS Update**

Thomas Pristow updated the committee on Alternative Response (AR), Results Based Accountability (RBA), Bridge to Independence (B2I), and the Attestation Report of the Department of Health and Human Services Child Welfare Program. Thomas noted that DHHS is continuing to work on the implementation of the AR program. Thomas indicated that DHHS is planning to provide the Commission with an update on the AR Pilot Sites data at a future Commission meeting. Thomas stated that data is still being loaded for RBA. Thomas indicated that some providers are having difficulty with the data loading process and that DHHS is working with those providers to resolve those issues. Thomas stated that Bridge to Independence successfully began as of October 1, 2014. The program currently has 79 enrollees. Thomas also noted that staff have been hired and are in place to help young adults across Nebraska. Finally, Thomas gave an update on the Attestation Report regarding the audit of the DHHS Child Welfare program. Thomas indicated that there were 11 findings in the report and that 9 of the 11 have already been worked on with federal and state partners. The remaining two findings related to a single payment issue that has been corrected.

### **Inspector General of Nebraska Child Welfare Annual Report**

Julie Rogers provided an overview of the Office of Inspector General of Nebraska Child Welfare Annual Report for 2013-2014 that was issued on September 15, 2014. Julie highlighted the recommendations that she made regarding caseworker turnover; the need for a state level definition of trauma informed care; the importance of family finding and working with extended family in the placement process; workforce development; and changes that are needed in the juvenile justice system. Julie also referenced the number of investigations done by her office due to complaints that are filed.

During the discussion on family finding, David Newell reviewed the Nebraska Adoption Project information that was provided to Commission members. This project will test intensive child-focused adoptive parent recruitment models in order to improve the permanency outcomes for "hardest to match" children/youth in the Eastern Service Area of Nebraska's child welfare system. Three evidence-based models will be used, which include Family Finding, the 3-5-7 Model, and Wendy's Wonderful Kids.

Julie concluded her remarks with issues that she will work on in this next year, including assessing how the OIG's office can be a part of the oversight process for AR and working with DHHS on development of a grievance process. Commission members discussed how recommendations in this OIG report and other reports can be more effectively utilized in the strategic planning process by the Commission. The Commission also discussed caseworker caseloads and turnover. Susan Staab indicated that the workforce workgroup needed to look at recommendations made in the report. The workforce workgroup indicated that they would have recommendations to review at an upcoming meeting.

### **Juvenile Services (OJS) Committee Update and Action Items**

Julie Rogers provided an update on the Juvenile Services (OJS) Committee. The committee met on October 7, 2014. At the meeting the committee met with Jenn Piatt to review the recommendations made in the committee's December 2013 report. Jenn is currently working on drafting legislation that will reflect some of the recommendations made by the committee. Julie also noted that there are a variety of juvenile justice projects that members of the committee are involved in at this time including collaborative efforts with CSG and FSG. It was noted that a future Commission meeting should include updates on some of these initiatives. At the conclusion of the committee report, Julie provided information on committee membership nominees that the committee was recommending to the Commission members for their approval. The Committee recommended adding Tom McBride from NJJA; Jeanne Brandner from Probation; and Nicole Brundo as a Juvenile Services County Attorney representative. The committee was also recommending having Nicole Brundo as the co-chair of the committee and approving Tony Green as a voting member of the committee. The Juvenile Services committee was also asking the Children's Commission to expand the size of the committee to accommodate some additional members to represent the defense bar; a consumer voice, and a DMC representative.

Gene Klein made a motion to: approve the list of nominations from the Juvenile Services (OJS) Committee - included Tom McBride from NJJA; Jeanne Brandner from Probation; and Nicole

Brundo as a Juvenile Services County Attorney representative; approve Nicole Brundo as the co-chair of the committee; approve the movement of Tony Green to a voting member of the committee; and to table consideration of all new committee nominations until the committee has people to fill the representative spots. The motion was seconded by Susan Staab. Voting yes: Pam Allen, Teresa Anderson, Karen Authier, Beth Baxter, Holly Brandt, Jennifer Clark, Candy Kennedy Goergen, Gene Klein, Andrea Miller, David Newell, Deb O'Brien, Mary Jo Pankoke, Dale Shotkoski, Susan Staab, and Diana Tedrow. Voting no: none. Kim Hawekotte and Norman Langemach were absent. Motion carried.

### **Analysis of Child Welfare Funding in Nebraska**

Mary Jo Pankoke and Karen Authier provided information on an opportunity for the Nebraska Children's Commission to work with Child Focus and the Sherwood Foundation on an analysis of Child Welfare Funding in Nebraska. It was noted that Kristen Williams from the Sherwood Foundation has asked the Children's Commission to be involved with the design process of an analysis for child welfare funding in Nebraska. Commission members discussed the importance of this type of report in the strategic planning process and making sure that the report addresses all the funding streams used in Nebraska including public health funds. A suggestion was also made that the process needed to include working closely with Liz Hruska or someone from the Fiscal office.

Mary Jo Pankoke made a motion that Karen Authier, Commission Chair, appoint one or more Commission members to serve on a Steering Committee to help design an analysis of child welfare funding in Nebraska. The motion was seconded by Susan Staab. Voting yes: Pam Allen, Karen Authier, Beth Baxter, Holly Brandt, Jennifer Clark, Candy Kennedy Goergen, Gene Klein, Andrea Miller, David Newell, Deb O'Brien, Mary Jo Pankoke, Dale Shotkoski, Susan Staab, and Diana Tedrow. Voting no: none. Teresa Anderson, Kim Hawekotte and Norman Langemach were absent for the vote. Motion carried.

### **Statutory Taskforce Report**

Karen Authier presented a statutory matrix on behalf of the Statutory Taskforce. The taskforce included Karen Authier, Beth Baxter, Senator Kathy Campbell, Michelle Chaffee, Mary Jo Pankoke, Thomas Pristow, and Julie Rogers. The matrix included needed Commission action and listed the six legislatively assigned tasks that the Commission still needs to address from LB 821. The tasks include networking; reviewing DHHS structure; assessing the lead agency model; supporting evidence-based prevention and early intervention; identifying child welfare indicators; and developing a statewide automated child welfare information system. The Commission members discussed the various requirements and potential ways of accomplishing each task. It was suggested that the Commission may want to review the Ummel Report and the original Hornby Zeller report. It was noted that a new Hornby Zeller report is due out in December 2014. Commission members also discussed the upcoming legislative resolution hearings that would impact the work noted on the matrix.

At the conclusion of the discussion, Mary Jo Pankoke made a motion that the Statutory Responsibilities matrix should be incorporated into the strategic plan after being updated to

incorporate appropriate action items still needed and timelines for completing those actions. The motion was seconded by David Newell. Voting yes: Pam Allen, Teresa Anderson, Karen Authier, Beth Baxter, Holly Brandt, Jennifer Clark, Candy Kennedy Goergen, Gene Klein, Andrea Miller, David Newell, Deb O'Brien, Mary Jo Pankoke, Dale Shotkoski, and Diana Tedrow. Voting no: none. Kim Hawekotte, Norman Langemach, and Susan Staab were absent for the vote. Motion carried.

### **Structure Taskforce Report**

Julie Rogers indicated that the Structure Taskforce did not have an updated report since the group was not able to meet until the end of October. Julie noted that the taskforce will be continuing work on the recommendations and thanked those Commission members who provided input. Commission members were asked to provide any additional feedback to Julie.

### **Strategic Plan Document Review and Discussion**

Karen Authier noted that further Strategic Plan discussion would be deferred until the November meeting. Karen noted that updates would be made to the Statutory Responsibilities matrix and a workplan would be created for the Commission to consider and discuss at the November meeting.

### **Next Meeting Planning**

Commission members discussed the need for a Commission meeting in November and doing a retreat in January. It was noted that topics for November need to include: Bridge to Independence report; workforce workgroup recommendations; and statutory priorities. It was noted that the Bridge to Independence Committee would have a report and an action item for the November meeting. Karen asked Commission members to send any additional agenda items to Leesa by e-mail. The January retreat will cover data issues with a presentation from Chapin Hall and an orientation time.

### **New Business**

None.

### **Next Meeting Date**

The next meeting is Tuesday, November 18, 2014, 9:00am-3:00pm. Country Inns & Suites, Omaha Room, 5353 N. 27<sup>th</sup> Street, Lincoln, NE.

### **Adjourn**

A motion was made by Susan Staab to adjourn the meeting, seconded by Deb O'Brien. The meeting adjourned at 12:06 pm.

**Summary of Legislative Hearing on Legislative Resolution 542:  
Interim Study to Examine Issues Regarding the Current Guardian ad Litem  
System**

Legislative Resolution 542 was introduced as an interim study to examine issues regarding the current Guardian ad Litem System. The resolution identified the following areas as needing further study by the Legislature: 1) the role and impact of Guardians ad Litem on the child welfare system, 2) the state statutes and policies related to requirements of providing Guardians ad Litem, 3) costs incurred by counties and ability to audit work for guardians ad litem, and 4) qualifications needed and required to serve as a guardian ad litem.

The Guardian ad Litem system has received significant attention following a report from the Office of the Auditor of Public Accounts on the Douglas County Juvenile Court Guardian ad Litem System. In 2003, the Douglas County Board of Commissioners requested bids to contract with the county to provide Guardian ad Litem services. Two law firms have now provided these contractual services for over ten years. The Douglas County Board of Commissioners requested that the Auditor of Public Accounts perform an audit of the fees paid by the Board and Douglas County Juvenile Court for Guardian ad Litem and attorney fees. This report contained numerous troubling statements regarding the services provided by attorneys and fees paid by the County.

**Role of Guardians ad Litem**

Guardians ad Litem play a crucial role in the child welfare system. In the Nebraska Juvenile Court, a Guardian ad Litem is an attorney who is appointed by the Court to represent the best interests of a child or children. These attorneys stand in the legal role of parent for children who have been neglected or abused (Neb. Rev. Stat. §43-272.01(2)(a)). Courts are required to appoint Guardians ad Litem in any proceeding pursuant to the provisions of Neb. Rev. Stat. §43-247(3)(a). This means that any child who is involved in a proceeding alleging neglect or abuse will be appointed a Guardian ad Litem to serve as both the representative of the child and the child's best interest. (Neb. Rev. §43-272). The role of the Guardian ad Litem as representing both the best interests of the child and providing legal representation to the child is flexible enough to meet the needs of the child, and ensure that the child is not the only person in the room without a lawyer. Where there is a conflict of interest between the role of counsel for the juvenile and Guardian ad Litem, for instance when the best interests of the child are in conflict with the child's express wishes, judges have the discretion to appoint separate counsel for the child.

Guardians ad Litem are required to submit recommendations to the court and even have the power to file a supplemental petition to terminate parental rights. They are

required by statute to meet with the child within two weeks of the appointment, and then every six months thereafter. §43-272.01(2)(d). They should also inquire of the foster parents and caseworkers in creating recommendations to the Court. Guardians ad Litem may petition the court to order medical or mental evaluations or services. This important role ensures that the Guardian ad Litem may ask for the evaluations he or she needs to make recommendations, and that children have a voice advocating for necessary mental and physical treatment.

### Statute and Policy of Guardian ad Litem Provision

Testifiers made a number of remarks relating to the possible structure of provision of Guardian ad Litem services. There are three different ways that a state or county may structure its provision of Guardians ad Litem.

1. Some states may use a Child Welfare Law Office model. A law office with full-time staff of attorneys and contracts with the county, state, or locality to provide representation as Guardians ad Litem.
2. There may be a state-wide list of attorneys available to serve as Guardians ad Litem. Judges appoint from the list and attorneys accept appointments as their caseloads and schedules allow.
3. Other states use a hybrid model. In this model there is a Child Welfare Law Office and a statewide list of attorneys that are able to accept Guardian ad Litem appointments.

The testimony focused on Douglas County, which maintains a hybrid system in which judges may appoint Guardians ad Litem from either one of the two contracts with local law firms, or an independent Guardian ad Litem not affiliated with a contract.

A number of concerns were voiced at the hearing regarding the consultation with client requirements. As a Guardian ad Litem stands in the place of the parent and represents the best interests of the child, many questioned whether this requirement should be strengthened. This may not be enough contact to advocate for the best interests of the child where the child experiences multiple placement changes, psychotropic medications, or changes in parental visitation.

Caseload size was another area of concern. Other states that have caseload limits range between 25 and 100 cases maximum. Testimony at the hearing suggested that caseloads be limited to 100 children or 60 families at any one time. The Douglas County contracts do provide for a case limit for one of the contracted entities, limiting the case load to no more than 360 cases open at a given time.

The Supreme Court has adopted Guidelines for Guardians ad Litem. These Guidelines address a number of areas, including strengthened requirements for client contact and

caseload. Guidelines are not enforceable, though testifiers suggested that they may be grounds for appeal or an ethical complaint. Testifiers repeatedly recommended that the Guidelines be codified as statute so that the higher expectations of Guardians ad Litem would be enforceable by judges in the juvenile court.

#### Cost and Oversight of Guardian ad Litem Provision

Testimony indicated that oversight of the work of Guardians ad Litem has been a perpetual problem for courts and stakeholders. The Douglas County Board of Commissioners requested an audit from the Auditor of Public Accounts after having difficulty providing oversight to the contracts in Douglas County. The contracted law firms do have provisions for reporting in their contracts; however these reports have been unsatisfactory when they have been produced. While there are reporting requirements in both of the Douglas County contracts, testifiers characterized the requirements and the reports provided as unsatisfactory. Many localities try to respond to concerns regarding oversight of Guardians ad Litem through reviews, surveys, and commentary from stakeholders. Billing, client contact, and hearing attendance were identified as three areas that have been difficult to monitor in the Guardian ad Litem system.

The oversight of billing and payment of Guardians ad Litem was an area of focus at the hearing. The APA's report makes note of many instances in which payments were not supported by appropriate documentation. Many testifiers supported shifting away from flat fee contracts. Outside of the contracts, Guardians ad Litem are paid hourly for work performed. The current contracts allow for payment of a flat fee per case. Testifiers characterized the flat fee as inviting substandard performance. Many attorneys appointed by the juvenile court submit a detailed billing statement to the clerk of the court for payment. The judge then orders the payment of the fees. This allows for a measure of oversight as a detailed accounting is provided. Flat fee payment may be troublesome as there is no way to account for the work done in relation to the funds.

The statutory requirement of client contact emerged as a significant concern from the testifiers. Nebraska statute requires Guardians ad Litem to attend each hearing before the court unless they are expressly excused (Neb. Rev. Stat. §43-272.01(2)(a)). The Auditor of Public Accounts identified a number of cases in which the Guardian ad Litem did not attend a court hearing for both contracted law firms. The Board does not provide oversight for attendance because contracted firms are not required to submit detailed invoices or attendance information to the Board. The primary source of oversight for the contracted Guardians ad Litem is through the judges. There have been instances of judges removing contracted attorneys as Guardians ad Litem due to failure to attend hearings and contact the children. While the board may be unable to



provide oversight, judges have ample opportunity and information to exercise oversight and ensure that Guardians ad Litem are attending hearings per statute.

An additional statutory duty is the requirement that Guardians ad Litem consult with their client within two weeks of appointment and every six months thereafter (Neb. Rev. Stat. §43-272.01(d)). The Douglas County Board of Commissioners, Office of the Auditor of Public Accounts, and Foster Care Review Office that oversight of this requirement is lacking. The Office of the Auditor of Public Accounts had significant challenges in determining if this requirement is met by Guardians ad Litem. The office was unable to obtain any records from one of the contractors, and unable to find supporting documentation in a review of another contractor's cases.

The Foster Care Review Office provides reviews of child welfare cases in which children have been placed outside of the home. The Foster Care Review Office makes efforts to provide oversight by determining Guardians ad Litem statutory compliance through case review. There is a provision within the Guidelines that authorizes but does not require Guardian ad Litem to respond to inquiries from the Foster Care Review Office. Some Guardians ad Litem do not provide their reports to the Foster Care Review Office, citing attorney client privilege. This often leaves reviewers unable to determine if the Guardian ad Litem is in compliance with statute.

Attorney client privilege is a consideration raised in the hearing. A limited number of Guardians ad Litem have raised attorney client privilege to prevent the disclosure of some requested documentation. Attorney client privilege refers to the statutory right that a client has to refuse to disclose confidential communications made to an attorney for the purpose of receiving legal services (Neb. Rev. Stat. §27-503). This right is also found in the Nebraska Rules of Professional Conduct, Rule 1.6. A lawyer may not reveal information relating to the representation of a client unless the client gives informed consent, the disclosure is impliedly authorized to carry out the duties of representation, or another exception applies. The attorney client privilege attaches when a client is a minor.

It is important to note that not all attorneys and Guardians ad Litem believe that attorney client privilege is a barrier to oversight for billing and statutory compliance purposes. The Disciplinary Rules allow for disclosure of "confidences or secrets necessary to establish or collect the lawyer's fee or to defend the lawyer or his or her employees or associates against an accusation of wrongful conduct." (DR 4-101(C)(2)). Additionally, it is possible for Guardians ad Litem to prepare billing statements sufficient to describe their compliance with the statutory requirements without disclosing any of the client's confidential information.

A number of solutions were raised to address the potential barrier of attorney-client privilege. The first is to increase judicial oversight of compliance. Judges may ask Guardians ad Litem whether they are in compliance with the statutory requirements. If a Guardian ad litem is not in compliance, the judge has the authority and discretion to order the Guardian ad Litem to conform to the statute, or even remove the Guardian ad Litem from the case. This would not require any legislative changes, and conforms to the concept of the legal profession as self-governing. Another solution is to include in court order that guardian ad litem reports are to be provided to an agency that would provide oversight, such as the Foster Care Review Office, County Boards, or other agencies as appropriate. A third option is to change legislation and policy to grant a body providing oversight access to Guardian ad Litem reports.

#### Qualification of Guardians ad Litem

The Guardian ad Litem has a critical role in the child welfare process and must not only be a competent attorney, but also knowledgeable in diverse subjects including child development, mental health, substance dependency, and family dynamics. The standards to assume the role of Guardian ad Litem must be carefully considered to ensure the attorneys receive the training to provide the high quality representation that children deserve. One option to increase quality of Guardian ad Litem representation is to create a child welfare specialization within the practice of law. As Nebraska law does not currently allow this type of specialization, this would require changes to statute and the Code of Professional Responsibility for attorneys. Thirteen states and the District of Columbia allow for this option, generally once an attorney has passed a competency exam and juvenile law makes up more than 33% of the attorney's practice. Another possible solution is encouraging law schools to develop curriculum allowing law students to specialize in child welfare law.

Testifiers noted that some states do not require Guardians ad Litem to be licensed attorneys. Some states appoint an attorney to represent the child, either as a matter of course or when necessary, and create a separate role for the advocate of the child's best interest, who may not be required to be an attorney. In some states this role is filled by the CASA. Most attorneys who testified supported continuing the practice of appointing an attorney to represent both the child and the child's best interests as this allows for flexibility in the role, and ensures that the child always has legal representation. Nebraska law does require that the role of attorney for the child and Guardian ad Litem be split when there are special reasons in a particular case. In order to change this standard, the role and authority of the Guardian ad Litem would need to be changed in statute as non-attorneys cannot file motions, examine and cross-examine witnesses, and present evidence.

#### Further Recommendations

The Guardian ad Litem system has been the subject of a number of studies and reports in the past, all putting forth recommendations to improve the oversight, accountability, and quality of this critical role. Attached to this document as Appendix A is a selection of recommendations discussed at the hearing and relating to Guardians ad Litem.

## **Appendix A**

### **Selection of Previous Recommendations Relating to Guardians ad Litem**

A number of advisory and oversight bodies have put forth recommendations related to Guardians ad Litem. Below is a sample of selected prior recommendations. This is not an exhaustive list of the various recommendations, but highlights from sources referenced at the LR 542 hearing.

#### **2003: Governor's Children's Task Force**

In 2003 the Governor's Children's Task Force released a report titled "A Roadmap to Safety for Nebraska's Children" in December 2003. This report is accessible in full here: [http://dhhs.ne.gov/Documents/CTF\\_Report03.pdf](http://dhhs.ne.gov/Documents/CTF_Report03.pdf). This report included the following recommendation on Guardians ad Litem.

Recommendation 4.3: Guardians ad Litem should be trained, accredited and required to certify to the court they have visited children they represent.

The Task Force has considered the benefits of Guardians ad Litem. They are the eyes and ears of the court. It is the opinion of the task force that the professional associations of the juvenile, county and district judges study and recommend to the Nebraska Supreme Court a system of rules which will enhance the professionalism of guardians. These rules should specify training, caseload restrictions and reporting requirements of guardians ad litem. The task force believes every guardian should visit a child he or she represents at least once a month and that no guardian should be paid who has not made such visits.

#### **2009: The National Association of Counsel for Children**

The National Association of Counsel for Children released a report titled "Evaluation of the Guardian ad Litem System in Nebraska" in December of 2009. This report is accessible in full at: <http://www.naccchildlaw.org/news/35016/NACC-Study—Evaluation-of-the-Guardian-Ad-Litem-System-in-Nebraska.htm>. Following is a selection of recommendations pertaining to Guardians ad Litem.

Short Term:

1. Because attorneys for children should have clearly defined case responsibilities, Nebraska should clearly enumerate the powers and duties of the GAL in 3(a) cases through statute or mandatory, enforceable practice standards promulgated by the Supreme Court

2. Training for GALs in Nebraska must be significantly increased and enhanced, and there must be organized opportunities for GALs to network and learn from each other.
3. The relationship between the GAL and the child must be changed to become client focused, not adult-focused,
4. Nebraska should establish mandatory caseload standards for GALs in 3(a) cases.
5. All GALs should be reimbursed on an hourly basis. All counties that still use the law firm/flat fee contract system should phase this system out, given the evidence that attorneys working on an hourly basis have more reasonable caseloads and adequate compensation.
6. Youth should participate in 3(a) proceedings in court.

#### Long Term

7. Nebraska should establish a centralized system for oversight of GAL services. Responsibility for administering and funding the system of legal services to children in 3(a) cases should be shirred to an independent state entity, whether within the state Administrative Office of the Courts or the executive branch.
8. Nebraska should adopt, by statute, a client directed model of representation. Building on Recommendation 3 above, the child's attorney should follow the Nebraska Rules of Professional Conduct just like all attorneys.
9. Nebraska should renovate court facilities to make them adequate for the needs of children and youth.

#### **2013: Foster Care Review Office**

The Foster Care Review Office released an Annual Report in 2013. This report is accessible in full here: <http://www.fcro.nebraska.gov/pdf/FCRO-Reports/2013-FCRO-Annual-Report-issued-December-2013.pdf>. Below is a selection of recommendations made in the report related to Guardians ad Litem.

The FCRO respectfully requests that judges inquire of guardians ad litem whether they have seen the children they represent, and under what circumstances. The FCRO also requests that judges continue the progress made holding guardians ad litem accountable for the quality of their representation of children. This can be done by ensuring that, Per the Supreme Court's guidelines, the guardian ad litem:

Submits a report to the court at the disposition hearing and dispositional review hearings, based on their independent research and judgment and consultation with the child. This report shall include when they visited the children and with whom else they have consulted.

Consults with the juveniles they represent within two weeks of appointment and at least once every six months thereafter, including visiting the children's placements.

Interviews the foster parents, other custodians and current DHHS case workers, and interviews others involved in the case such as parents, teachers, physicians, etc.

Attends all hearing regarding the child, unless excused by the Court.

Makes every effort to become familiar with the needs of the children they represent, including determining whether the children's placement is safe and appropriate.

Recommendations:

Assure that guardians ad litem are following the Supreme Court's guidelines by conducting independent determinations to the juvenile's best interests, and consulting with the juvenile at least once in the placement (an important safety provision). Failure to provide sufficient consultations should be addressed by the judge.

Upon appointment, the court should provide the guardian ad litem a job description and a list of items that need to be completed and included in the guardian ad litem report. This job description and list should include, at a minimum, all of the authorities and duties of the guardian ad litem set forth in Neb. Rev. Stat. §43-272 and 43-272.01, and the Supreme Court Guidelines.

Ensure that Guardian ad Litem reports are filed.

Continue to work with JUSTICE regarding granting the FCRO access to GAL reports.

## **Bridge to Independence Advisory Committee Report**

**November 18, 2014**

### **INTRODUCTION**

The Young Adult Voluntary Services and Support Act (LB 216) was passed in the 2013 legislative session to create an age-appropriate, youth-focused, and voluntary program of services and support to age 21 for young people who age out of foster care. This program has since been titled "Bridge to Independence."

The Young Adult Voluntary Services and Support Act created an Advisory Committee to make initial recommendations regarding implementation of the program and to provide ongoing oversight. The Advisory Committee, involving a wide variety of professionals and stakeholders, including representatives from DHHS, began meeting in July 2013. Six workgroups comprised of Advisory Committee members and other stakeholders were established to cover the following key areas of implementation:

- Policy, Eligibility, and Transition into the Program
- Outreach, Marketing and Communications
- Case Management, Supportive Services and Housing
- Case Oversight
- Evaluation and Data Collection
- Fiscal Monitoring Issues and State-Funded Guardianship

The Advisory Committee reviewed recommendations from the six workgroups. Recommendations that were adopted by the Advisory Committee were included in a report to the Children's Commission on November 19, 2013. The Children's Commission accepted the Advisory Committee's recommendations and submitted them to DHHS, the HHS Committee of the Legislature and the Governor. A copy of the Advisory Committee's 2013 report is attached with the status of each recommendation highlighted.

This report will cover initial implementation of the Bridge to Independence program.

## **INITIAL IMPLEMENTATION**

Implementation of the Bridge to Independence program was delayed pending approval of the regulations by the Governor and approval of Nebraska's State Plan Amendment by the U.S. Department of Health and Human Services. The regulations were approved by Governor Heineman on May 17, 2014 and the State Plan Amendment was approved by federal officials on August 19, 2014. DHHS was required to begin implementation within 60 days of receiving notice from federal officials that the department's amended IV-E plan was approved. Due to extensive planning and preparation activities that had already occurred, the department did not need the full 60 days and implementation began on October 1, 2014.

Since the Former Ward program was terminated on January 1, 2014, and the Bridge to Independence program was not implemented until October 1, 2014, there was a gap created for youth who aged out of foster care between January 1 and September 30, 2014. Fortunately, the Sherwood Foundation provided funding so that young people who fell in the gap between programs could receive a monthly stipend to help with living expenses. This "gap program" as it came to be called was a great example of a successful public/private partnership that included DHHS, the Sherwood Foundation, the Nebraska Children and Families Foundation and the Preparation for Adult Living Services (PALS) Program operated by Central Plains Center for Services.

DHHS chose to administer the program internally rather than contracting with a private agency. Staffing for the program includes two Supervisors and eleven Independence Coordinators. A report from DHHS showing the location of staff and initial program data is attached.

The Department has created many pathways to the Bridge to Independence program. These pathways include: contacting the Abuse/Neglect Hotline, the Bridge to Independence website, the young person's past or present caseworker or Project Everlast. All sources will lead to the website where the Young Adult can apply for the program. If a Young Adult prefers, the Department staff will complete an application with them in person or over the phone.

All indications are that the program is off to a good start. Program staff are excited to be part of the program and it appears that awareness activities have been effective based on the number of young people who have applied for the program. At a recent Advisory Committee meeting, Nathan Busch gave several examples of instances where a young person in crisis reached out to his/her Independence Coordinator for assistance and support. This is further indication that the program is off to a good start and that the young people involved are viewing the staff as



helpers rather than monitors as the Bridge to Independence Program is intended to work. DHHS should be commended for its proactive approach in preparing for implementation and for creating the kind of culture where staff can be creative in their approach to serving young people and understand that they are adults and should be served differently than younger youth in foster care. Another positive the Advisory Committee wanted to highlight is DHHS' decision to provide coverage under the new category of Medicaid to age 26 for youth who exit the system at age 18 (rather than only those who age out at 19). This will help ensure young people have access to needed medical care.

The Foster Care Review Office (FCRO) is responsible for conducting case reviews at least every six months for young adults in the Bridge to Independence program and for submitting reports to the court. The FCRO has created draft documents for the court report and for the data form. A mock run with young adults was started in November. Based upon the information received from these mock runs, the FCRO plans to have final forms completed by mid-November. The FCRO has worked closely with DHHS and other stakeholders to ensure they are meeting the needs of young adults and also collecting the data needed by all stakeholders. The Advisory Committee will be reviewing these documents in December. Reviews will begin during the month of February in accordance with the six month time period.

#### **ISSUES NEEDING TO BE ADDRESSED**

Although the Bridge to Independence Program is off to a strong start, the Advisory Committee identified several issues that need to be addressed:

- **Extended Guardianship Program** – Eligibility is dependent upon having a current guardianship in order to qualify for the Extended Guardianship Program. Young people who turned 19 before the Bridge to Independence Program was implemented do not qualify for the Extended Guardianship Program and also do not qualify for the Bridge to Independence Program. Another issue with the Extended Guardianship Program is that payment goes to the guardian rather than the young person and there is no supportive case management for the young person. This requirement and lack of support is not consistent with the intent of the Bridge to Independence Program to treat young people in the program as adults. A public/private partnership similar to the “gap program” to support young people that were guardianships and now not eligible for the Bridge to Independence Program was discussed by the Advisory Committee and it is recommended that this be pursued.
- **Tribal Youth** – Eligibility for Bridge to Independence requires adjudication under Nebraska Revised Statute § 43-247(3)(a). However, youth similarly adjudicated by tribal courts under tribal codes do not technically fall under the (3)(a) language. It is recommended that the Young Adult Bridge to Independence Act be amended to include not only youth adjudicated under § 43-347(3)(a) but also the equivalent under tribal law.

- **Right Turn** – By statute, the Right Turn program can only serve young people until age 19. It is recommended that the statute be amended so that Right Turn or other contracted agency working to keep guardianships intact can serve young people to the age of 21.
- **Evaluation** – The evaluation plan adopted by DHHS for the Bridge to Independence Program is more limited than recommended by the Advisory Committee. It is recommended that the data gathered by DHHS and the Foster Care Review Office be used for continuous quality improvement with the Advisory Committee and that DHHS reconsider its position and adopt a more robust evaluation plan.
- **Probation/OJS Population** – *Some* Many young people who are part of the Probation/OJS population have the same needs as young people who are adjudicated under subdivision (3)(a) but do not qualify for the Bridge to Independence Program. The Advisory Committee plans to form a workgroup to study the needs of this population and to develop a plan to expand the Bridge to Independence Program to meet those needs.

## Definition



Bridge to Independence provides stable support for young people as they cross from foster care to adulthood. Young adults who join the program will have access to:

- A dedicated Independence Coordinator (IC) who will provide advice, help you access resources and help you identify next steps to meeting your unique goals.
- Health care coverage if eligible for Medicaid or Affordable Care Act (ACA).
- A monthly maintenance payment.

## What We Do

An Independence Coordinator (IC) works with the Young Adult. The Young Adult can use the IC to help set goals, figure out how to get the Young Adult where they want to end up and run through ideas. The IC will give the Young Adult advice and walk through consequences. But the Young Adult decides. Some of the Young Adult's decisions will work out and some won't. Either way, the IC will be there to help the Young Adult plan their next move as long as they remain eligible for the Bridge to Independence program.

## Who We Serve

Bridge to Independence is available to young adults until age 21 who have aged out of foster care or were discharged to independent living.

## How We Impact

### Auto Help

The following is from one of our IC's:

Today I was able to help out a young adult with automobile issues. She is having some minor issues with her car and did not know who she could trust to look at her car. I have some contacts that are auto mechanics who were past HHS/YRTC employees who own their own automotive business. They will be helping out the young adult with her car, as soon as she contacts them. They have also agreed to help out any other Bridge youth who need automotive assistance.

### Lost Connections

When the IC received her cases when she started, one of the current state wards was soon to age out in the middle of October. The ward had been on run for months with little to no contact. The IC collaborated with the FPS and identified a phone number for someone that knew the ward. The IC was able to get a message to the ward, who then reached out to contact her and find out more about the program. The IC found out that the young man had run to New Orleans and planned to stay there indefinitely. The IC was able to engage him over the phone, explain Bridge to Independence, and get him interested in participating in the program. Despite past frustration with DHHS and being a state ward, the young man quickly developed a rapport with the IC and agreed that she could visit him and that he would follow the requirements of the program. Even though he spent his last months in state care as a "runaway", the IC will be able to help ensure he is safe and supported as he transitions to adulthood.

### Medical Help

An Independent Coordinator (IC) is working with a young lady who broke her leg during the weekend of October 3, 2014. Because of the relationship that had been established, the young lady contacted the IC, who helped her with the Emergency Room process and also took her to her follow up appointment on Monday morning. The IC has done a great job building rapport with this young lady. The IC was also able to help this young lady find additional clothing for a job interview and other resources in the community.

### Housing Help

An Independence Coordinator (IC) is working with a young lady who lives in her own apartment. The young adult called the IC on Wednesday in tears, saying that she had received a three-day notice to pay her late rent for the month or be evicted from the complex. The young adult did not have the money to pay the rent at the time. The IC was able to calm her down and talk to her about the situation. The IC helped her to contact the apartment complex to discuss repayment options to prevent the eviction. While the young adult was doing that, the IC reached out to contacts and community resources that might be able to assist with the late rent payment. The IC ended up finding two different options that might be able to help with the rent. The IC was able to connect the young adult with a housing program through a Service Provider that is specifically focused on former state wards. The program agreed to pay the overdue rent as well as accept the young adult into the program, which includes ongoing rental voucher assistance. The IC is working with the young adult to obtain employment and budget for expenses. The Supervisor believes the IC's assistance was essential to preventing an immediate eviction and will keep this young adult in stable, independent housing.

### Maternity Help

The Independence Coordinator (IC) met with a young adult and spent close to 8 hours with the young adult taking her to several different places to help

her get prepared for her twins which she is expecting next month. The IC took the young adult to the Lincoln Crisis Pregnancy Center, Birthright, Milkworks, Lincoln Action Program and St. Elizabeth's hospital to get signed up for birthing classes. This young lady was able to get some new maternity clothes along with several baby items and other resources. The IC also followed up the next day with the young adult and took her to the foster care closet to get more clothing and baby items. This young adult was very grateful for the IC's help and they appear to be building a very positive relationship.

**Stipend Help**

A young adults was being supported by the GAP Program (the program ran by the Nebraska Children and Families Foundation for those youth who aged out between January and October 2014).The former foster mother was receiving the stipend checks, refusing to give them to the young adult and throwing them away. Additionally, the former foster mother would not let the young adult get their stuff from the home. The Independence Coordinator (IC) was able to get checks cancelled for the three GAP payments that the former foster mother had torn up and threw away, and was able to get all of the young adult's belongings from the foster home. PALS also agreed to re-issue the GAP checks and send them to the young adults' current address after they verified that those checks had not been spent.

**Application Help**

An Independence Coordinator (IC) was trying to assist a young adult to apply for Medicaid. The young adult was having problems applying. The IC took his laptop and tracked down the young adults to help him sign up on-line. This young man now has medical coverage.

**Cleaning Help**

An Independence Coordinator (IC) participated in a meeting this week with a young man and his grandmother. His grandmother was very upset with the young man and wanted to kick him out of her house because he never cleans his room. The IC was able to help this young man budget and buy some storage totes and assisted him with organizing his room. The grandmother was very impressed and happy with the help from the IC and is now willing to let her grandson continue to live with her.

**Debt Help**

The Independence Coordinator is working with a young woman in college who currently has approximately \$1,500 in debt to multiple places. Prior to joining Bridge to Independence, the young adult had a bank account that she overdrew and was then charged fees. The young woman chose to ignore this instead of repaying it. She was also in debt and past due to her cellular provider, insurance provider for her vehicle, licensing and registration for her vehicle, and had unpaid parking tickets in Nebraska and Colorado. The young adult did not have a clear grasp of how much she owed and to whom. The IC went with the young adult to the bank to discuss the negative balance and develop a plan for repayment. The IC also identified how much the young adult owed for parking tickets and how to go about paying them. The IC worked with the young adult to create a budget for repaying the debt, reestablishing the bank account, and licensing, registering, and insuring her vehicle. By following this budget and using Bridge to Independence money along with other income, the young adult has been able to begin repaying and cut the debt in half in the month of October. The IC will continue to work on budgeting and money management with the young adult in the future.

**Goals Help**

An Independence Coordinator (IC) met with a Young Adult (YA) this week and the YA talked to the IC about her progress towards her goals. The YA is very happy and proud of herself for decisions that she is making and her progress. She is completing her high school courses and is taking her compass tests. She has secured housing in Lincoln with a friend and will be moving. She is excited about the possibilities that Lincoln holds for her to achieve her educational goals. She stated that she wants to remain in the Bridges Program and knows that Bridges is helping her to achieve these goals.





**Savings Account Help**

As soon as the YA's received their monthly support - they contact the IC and are so excited! The IC has had four so far, tell the IC they really appreciate the support and it is definitely going to help them out. Three of the YA's are going to utilize opportunity passport right away to make sure that they have money in savings. The IC went to pick up one of the YA's from Crete and the YA wanted to know if the IC could get her to a Wells Fargo to set up an account as that's where her foster mom has her account. The IC went and picked her up and brought her to Lincoln so she was able to get everything set up. The IC also helped another YA to get an account set up in her name and helped the YA obtain all the necessary signatures.

**Just a Visit...**

An IC went to visit with a YA that had lost her sister. She was on her way out of town to go to the funeral with her family. The IC and the YA sat in her living room as she just let everything out and cried to the IC about her feelings of her sister hanging herself, the fact that her mother had lost a husband the same way, the emotions that were coming up with her having to go and spend the weekend with family she was not excited about seeing. She talked to the IC about how she had to be strong for her mom in her time of need. After a long period of time and many tears we got to a place in our conversation where the YA just stopped and said "Thank You". The IC kind of giggled, with tears in her eyes as well, and asked "Thank you for what?" The YA said "For just being here and listening". The YA went on to say she tried very hard to cut out old friends in her life as she has learned that they are not a good influence on her. The YA told the IC "I have no one to talk to." It was a very good conversation and the IC believes it will make the relationship grow stronger.

**Performance Measures**

	Time Period	Actual Value	Target Value	Forecast Value	Current Trend	Baseline %Change
 Bridge-Apps	Number of young adults who applied for the Bridge to Independence Program within the last thirty days.	Nov 2014	97	☐	☐	1 0%
 Bridge-Accepted	Number of young adults accepted into the Bridge to Independence Program within the last month.	Nov 2014	75	☐	☐	1 1%
 Bridge-Enrolled	Number of young adults currently enrolled in the Bridge to Independence Program.	Nov 2014	75	☐	☐	1 1%
 Bridge-Area1	Percentage of enrollees in Doug Peters' area.	Nov 2014	52%	☐	☐	1 2%

PM	Bridge-Area2	Percentage of enrollees in Meagann Schweitzer's area.	Nov 2014	48%			1	-2%
PM	Bridge-InState	Percentage of enrollees In-State.	Nov 2014	95%			1	0%
PM	Bridge-OutOfSta	Percentage of enrollees out-of-State.	Nov 2014	5%			1	0%
PM	Bridge-Males	Percentage of males enrolled.	Nov 2014	24%			1	0%
PM	Bridge-Females	Percentage of females enrolled.	Nov 2014	76%			1	0%
PM	bridge-pregnant	Number of pregnant enrollees.	Nov 2014	8			1	14%
PM	Bridge-Dependen	Number of enrollees with dependents.	Nov 2014	10			1	11%
PM	Bridge-SelfTerm	Number of young adults who terminated their membership within the last month.	Nov 2014	0			1	0%
PM	Bridge-DCFSTerm	Number of terminations initiated by DHHS within the last month.	Nov 2014	0			1	0%
PM	Bridge-Contact	Percentage of young adults who have had contact with their Independence Coordinator within the last thirty days.	Nov 2014	100%	100%		1	0%
PM	Bridge-Homeless	Percentage of young adults who were considered homeless within the last month.	Nov 2014	0%			1	0%
PM	Bridge-Medicaid	Percentage of young adults receiving Medicaid within the last month.	Nov 2014	88%			1	13%
PM	Bridge-TLP	Percentage of young adults who have a Transition Living Plan.	Nov 2014	97%	100%		1	9%
PM	Bridge-Educatio	Percentage of young adults meeting the educational requirement within the last month.	Nov 2014	43%			1	-14%
PM	Bridge-Employe	Percentage of young adults meeting the employment requirement within the last month.	Nov 2014	29%			1	4%
PM	Bridge-Barriers	Percentage of young adults participating in the Program to Remove Barriers to Employment	Nov 2014	27%			1	23%

### Specific Actions

Assigned To

Status

Due Date

### File Attachments

File Name

 OctoberUpdate.docx

## Bridge to Independence and Support Advisory Committee

### Report on Initial Implementation of the Voluntary Services and Support Act

November 19, 2013

The Young Adult Voluntary Services and Support Advisory Committee (YAVSSAC) was appointed by the Nebraska Children's Commission to make recommendations to the Department of Health and Human Services and the Nebraska Children's Commission for a statewide implementation plan meeting the extended services program requirements of the Young Adult Voluntary Services and Support Act. Six workgroups comprised of Advisory Committee members and other stakeholders were established to cover the following key areas of implementation:

- Policy, Eligibility, and Transition into the Program
- Outreach, Marketing and Communications
- Case Management, Supportive Services and Housing
- Case Oversight
- Evaluation and Data Collection
- Fiscal Monitoring Issues and State-Funded Guardianship

The workgroups generated recommendations with input from a variety of stakeholders from throughout Nebraska and in close partnership with the Department of Health and Human Services. The YAVSSAC voted to approve a first round of recommendations from each of the workgroups at their meeting on September 3, 2013. This document presents a second round of recommendation, which include some modifications and expansions of the recommendations approved on September 3, 2013. Because many of the Round 2 Recommendations build on or revise the Round 1 recommendations, we have included both the Round 1 and Round 2 Recommendations in this document. The modifications are highlighted in yellow. These recommendations will form the basis for the YAVSSAC'S report due on December 15, 2013.

#### **POLICY, ELIGIBILITY, AND TRANSITION into the PROGRAM**

*Note: Additional details on outreach materials and ongoing communication with young adults about the program are included in Section II, Outreach, Marketing and Communications. Section II also recommends that DHHS pursue a public-private partnership to support development of new communication materials and outreach activities to ensure young adults have a smooth transition into the program.*

#### **I Former Ward and Juvenile Probation**

**Not Adopted**

- A.** Former Ward should remain available to those young adults already enrolled in the program. This service should continue for those young adults until age 21 as long as the young adult remains eligible. This includes 3(a), OJS and dually adjudicated young adults. Currently enrolled 3(a) and dually adjudicated young adults will have the option to continue former ward services or enroll in the Bridge to Independence Program. We believe it is best practice to offer Bridge to Independence enrollment to OJS young adults, but we realize that this was not accounted for in the fiscal appropriation.

Not Adopted

B. Former Ward can continue indefinitely or be phased out depending on the needs of the population. If there are young adults that continue to opt for enrollment in the Former Ward Program rather than the Bridge to Independence Program, then Former Ward should continue. Funding for these programs should be flexible to accommodate this.

Not Adopted

C. Communication between Income Maintenance workers involved with the Former Ward and the Bridge to Independence Programs will be extremely important. If a young adult becomes ineligible for the Former Ward program, active efforts should be made to offer enrollment in the Bridge to Independence Program.

Not Adopted

D. Those who have worked on the Bridge to Independence Program and LB 216 should offer assistance to Juvenile Probation. Juvenile Probation may want to create their own Bridge to Independence Program and there are many that could offer information about the federal program and implementation in Nebraska. If Juvenile Probation is not able to create its own program, legislation may be necessary.

Not Adopted

E. If the department does not maintain the Former Ward Program to address the gap for young adults who age out after January 1, 2014 but prior to when the Bridge to Independence Program begins, funding (either Former Ward, LB 216 or other general child welfare funding) should be used to give young adults who age out in this period access to Former Ward benefits.

**II Initial Communication and Transition into the Program for Young Adults in the Former Ward Program.**

Adopted

A. All current and past recipients of the Former Ward Program who have not yet turned 21 (and will not turn 21 prior to implementation of the extended program) should be sent a clear written notice about the extended program prior to December 1, 2013, informing them of:

Adopted

1) The rights of eligible young adults to receive extended services and support

Adopted

2) Information about eligibility and program requirements

Adopted

3) Types of services and support young adults may receive in the program

Adopted

4) How young adults can access the program

Adopted

5) Other requirements of written notice per Sec. 17 (6)

Adopted

6) An outline of differences between the Bridge to Independence Program and the Former Ward Program

Adopted

7) What will happen with the Former Ward Program (e.g. when services through the Former Ward Program will cease to exist).

In Process

B. By December 1, 2013, a representative of the Department (or current Former Ward staff member) will make contact – or attempt to make contact – with current and past recipients of Former Ward who have not yet turned 21 to provide information verbally and via all available and appropriate channels (e.g. text, Facebook, social media, etc.) about the program and how young adults can sign up, review differences from the Former Ward Program, and ask the young adult if he/she would like to participate in the extended program.

Adopted

C. If the young adult indicates that he/she would like to participate, the department will assess eligibility and, if the young adult is eligible and consents, arrange for the Bridge to Independence agreement to be signed and filed with the court in the timeframe necessary to prevent a lapse in services between the transition from the Former Ward Program to the Bridge to Independence Program, if applicable.

It is important to ensure that specific changes are clearly communicated to young adults and efforts are made to avoid service interruption as young adults transition from one program to another and/or as the department implements the extended program. For instance, room and board fees are currently covered under the Former Ward Program, and these funds are distributed directly to the college once per semester. Under the extended program, the funds may be distributed on a monthly basis.

**III Communication and Transition Into the Program for All Young People in Foster Care (age 16-19)**

Adopted

A. The foster care caseworker will provide an annual in-person overview of the extended program during one of the Family Team Meetings including a brochure overviewing service benefits and responsibilities. *(Please see Outreach, Marketing and Communications recommendations for details on development of this brochure.)*

Adopted

B. As required in LB 216 (Sec. 17 (6)) 90 days prior to the final court hearing, young adults should be sent a clear, written notice about the extended program informing them of:

Adopted

1) The rights of eligible young adults to receive extended services and support

Adopted

2) Information about eligibility and program requirements

Adopted

3) The types of services and support young adults may receive in the program

Adopted

4) How young adults can access the program

Adopted

5) Other requirements of written notice per Sec. 17 (6).

In addition to this required written notice, 90 days prior to the final court hearing, LB 216 requires a representative from the department (ideally the foster care caseworker) to meet with the young adults, and determine if they would like to participate in the program. Those who opt into the program will participate in an orientation meeting with their foster care caseworker and their new Independence Coordinator. This meeting will act as the official transition from foster care to Bridge to Independence, and is discussed in more detail in the Outreach, Marketing and Communications section.

**IV Communication to Young Adults Ineligible for the Program**

Adopted

A. Young adults determined ineligible for the program at the meeting conducted 90 days prior to the final court hearing will be provided with a clear, written notice similar to that discussed in Sec. 7 (2) of LB 216 informing them of:

Adopted

1) The explanation for why they were determined to be ineligible (in a clear and developmentally appropriate way)

Adopted

2) The process for appealing the decision

Adopted

3) Information about the option to sign up for the program once the young adult establishes eligibility.

Adopted

4) Information about and contact information for community resources that may benefit the young adult, specifically including information regarding state programs established pursuant to 42 U.S.C.677.

Adopted

B. This written notice should also include information about eligibility and program requirements. In addition to the written notice, this communication should be delivered through every available communication channel (e.g. email, call, text, Facebook private message). The verbal communication should include an explanation of items 1-4 under III B.



Adopted

C. We recommend a face to face meeting between the young adult and his/her foster care caseworker to review eligibility requirements and complete tasks that may make the young adult eligible for the program – such as enrolling in college or a job training program, or making progress on an employment search.

Adopted

**V Communication to Young Adults Who Opt Out of the Program**

A. Young adults are provided an information packet of all materials described in NE LB 216 Sec. 7 (1) (process for re-enrollment, etc.) and the list of resources described in NE LB 216 Sec. 7 (2), which will be paid for from the Program administration budget, and an exit survey, per the recommendation of the Evaluation Workgroup.

Adopted

**VI Communication to Young Adults Who Become Ineligible for the Program After Participating.**

A. The extended program caseworker provides young adults with the required ineligibility notification (per NE LB 216 Sec. 7(2) 30 days before services cease. In addition to the required written notice, this communication should be delivered through every available communication channel (e.g. email, call, text, Facebook).

Adopted

B. In addition to a court hearing, see Case Oversight Section. There should be an in-person exit meeting with an extended program caseworker 30 days before services cease. At this time, the young adult will be provided an information packet of all materials described in NE LB 216 Sec. 7(1) (process for re-enrollment, etc.) and the list of resources described in NE LB 216 Sec. 7(2), which will be paid for from the Program administration budget, and an exit survey, per the recommendation of the Evaluation section.

Adopted

C. At this meeting, the caseworker and young adult should work together to meet any eligibility requirement to get the young adult re-enrolled in the Program. For example, the two may enroll the young adult in college classes or a job training program at that meeting, or secure/progress toward securing employment.

Not Adopted

D. Young adults should have the opportunity to request an extension of the 30 day grace period between becoming ineligible and end of services.

**OUTREACH, MARKETING AND COMMUNICATIONS**

*Note: see attachment A, which presents the more detailed communications plan developed by the work plan; details on these recommendations.*

Adopted

**I Program Name Recommendation**

A. ***Bridge to Independence*** (preferred choice of young adults surveyed) is the recommended program name, with caseworkers to be called ***Independence Coordinators***.

Adopted

**II Funding**

A. Items required by the bill (all materials in NE LB 216 Sec 7(1) and (2), i.e. list of resources, process for re-enrollment, exit survey) will be paid for out of the Program administration budget. The outreach, marketing and communications strategy below includes several items that are not included in the bill. ("non-required tactics"), and should therefore not be funded by the Program administration budget.

Adopted

B. DHHS should work with Nebraska Children and Families Foundation to assemble private contributions and administer the resulting Bridge to Independence Marketing Fund.

C. The total estimate cost of non-required tactics (see Appendix B) for 2014 is \$35,550. This is the amount of private money needed to be raised to implement the strategy in its entirety.

### **III Collaborative Creative Development**

Adopted

A. Because Bridge to Independence will be implemented via DHHS, but non-required communications will be developed using other partners, we recommend that a fundamental design and messaging framework be developed collaboratively. The most efficient, effective way to achieve this is through a multi-agency Marketing Task Force made up of marketing professionals from DHHS (Russ Reno, DHHS designer, DHHS webmaster) and Nebraska Children and Families Foundation (Mary Kate Gulick and Brenda Weyers). Deliverables from this group would include:

Adopted

- 1) Visual brand guide
  - o Bridge to Independence logo and applications guidelines
  - o Primary/secondary color palettes and guidelines
  - o Primary/secondary type
  - o Photo/illustration style recommendation

Adopted

- 2) Messaging strategy
  - o Positioning statement
  - o Brand tagline
  - o DHHS approved boilerplate "About the Program" content
  - o DHHS approved key and supporting messaging points

Adopted

- 3) Site map for the Bridge to Independence

Adopted

B. Once the look and content of the program is established and approved, DHHS will develop all materials required by LB 216 using Program administration dollars, and Nebraska Children and Families Foundation will develop non-required materials using the Bridge to Independence Marketing Fund.

### **IV Audience Segments Who Should Be Targeted with Communication and Outreach**

Adopted

A. Young Adults

Adopted

- 1) Minors 16-18 in foster care (Bridge to Independence prep)

Adopted

- 2) Young adults 18-19 eligible for and opting into the extended program (Bridge to Independence Orientation)

Adopted

- 3) Young adults 18-19 who are NOT eligible to enter the extended program (Bridge to Independence ineligible)

Adopted

- 4) Young adults 19-21 eligible and participating in the extended program (Bridge to Independence Retention)

Adopted

- 5) Young adults 19-20 who become ineligible after participation and are dropped from the program (Bridge to Independence Drops)

Adopted

- 6) Young adults 19-21 who opt out of the program, either at the time of initial eligibility or after a period of participation (Bridge to Independence Opt-outs)

Adopted

- 7) 21 year old graduates of the extended program (Bridge to Independence Grads)

Adopted

- 8) Young adults who are currently in Former Ward who need to transition to the extended program (Former Wards). This group is covered by Section I.

Adopted

- 9) Young adults 19-20 who have been dropped from the Former Ward program, but may be eligible for the extended program (Former Ward Drops). This group is covered by Section I.

Adopted

B. Current foster parent/placement adult

Adopted

C. Case Workers and Supervisors

Adopted

- 1) Foster care caseworkers and supervisors

Adopted

- 2) Independence Coordinators and their supervisors

Adopted

D. Service Providers

Adopted  
Adopted

**E. Media/Public/Policy Makers**

- 10) Communications will be designed to reach the public and policy makers via the media. Policy maker specific communications will be in the form of periodic program performance reporting.**

**V Communication Strategies by Segment**

*Note: Strategies specific to informing young adults of eligibility, determining eligibility, and informing of ineligibility are included in Section I (Policy, Eligibility, and Transition into the Program section).*

Adopted

- A. All young adults-Bridge to Independence should have its own web presence. While it will likely be created within the DHHS website, it is critical to user experience that the navigation and site structure of these pages be independent from the current DHHS structure and follow web usability best practices. The look, site map and much general content for this site will be developed within the Creative Development Task Force.**

Adopted

- B. Communication permission and confidentiality – Upon entering the Bridge to Independence Program from foster care, the young adult will be asked by the Independence Coordinator to select which methods of communications are acceptable, and to provide the correct information for each method. The choices are:**

Adopted  
Adopted  
Adopted  
Adopted

- 1) Phone**
- 2) Email**
- 3) Mail**
- 4) Facebook, (all Independence Coordinators will be trained by Deb Troia at DHHS to communicate via the confidential private message feature on Facebook and how to avoid revealing private information)**
- 5) Text Message**
- 6) Other preferred communication channels as mutually agreed upon by the Independence Coordinator and young adult.**

Adopted  
Adopted

Adopted

- C. Bridge to Independence Prep – youth in care ages 16-18 (see Policy, Eligibility, and Transition Into the Program for communication guidelines for these young adults)**
- D. Bridge to Independence Orientation (see Policy, Eligibility, and Transition Into the Program for eligibility outreach):**

Approved

- 1) Program Orientation meeting that includes the young adult, the foster care caseworker and the Independence Coordinator. This meeting will act as an official handoff from foster care to Bridge to Independence, and will provide the young adult with the necessary information about the benefits and responsibilities in the new program. Orientation content will be developed by the Marketing Task Force and, because this is a non-required tactic, any hard materials will be produced using the Bridge to Independence Marketing Fund.**

Adopted

- 2) "My Life" binder (given at orientation). This binder will provide young adults a place to house all the important documents they'll accumulate as adults, as well as any orientation or program materials they receive. The binder will include:**
  - o Bridge to Independence Orientation materials (outlined in Policy, Eligibility, and Transition Into the Program section)**
  - o Signed services agreement**
  - o Contact information/directory**

- Tabs for all the other areas of life (health care, housing, finances, education, etc.) so even transient young adults will have one place to keep their materials.
- General guidance pages regarding each life area, including resources available to the user

E. Bridge to Independence Ineligibles (See Policy, Eligibility, and Transition into the Program for communication guidelines for ineligibles)

**Under Consideration** F. Bridge to Independence Retention

1) Quarterly eNews sharing resources and events that might be interesting and valuable to them (career nights, college fairs, budgeting classes, etc.) and that provide success stories from other young adults. This eNews will use the look and content parameters established by the Marketing Task Force, and will be written, designed and deployed each month by Nebraska Children and Families Foundation. Each quarter's communication will first be approved by DHHS before deployment. DHHS will provide email addresses for Bridge to Independence participants who have opted to receive email communications. Links to each quarter's eNews will be made available via Facebook, and the Facebook page will be promoted to community partners and participants in the program.

**Adopted**

2) Text reminders from the Independence Coordinators of meetings, events, etc. This will fall under the responsibilities of program case management

G. Bridge to Independence Drops (See Policy, Eligibility, and Transition into the Program, section V for communication guidelines for young adults who lose eligibility after participating in Bridge to Independence.)

H. Bridge to Independence Opt – outs (See Policy, Eligibility, and Transition into the Program, section IV for communication guidelines for young adults who have opted out of Bridge to Independence)

I. Bridge to Independence Grads

**Adopted**

1) Young adults are provided an information packet all materials described in NE LB216 Sec. 7 (2) (list of resources, process for re-enrollment). However, because the bill only requires these items for young adults who become eligible for the program, the cost of printing these packets should not come out of the administrative budget, but rather the Bridge to Independence Marketing Fund. The packet should also include an exit survey, per the recommendation of the Evaluation section.

J. Former Wards (See Policy, Eligibility, and Transition into the Program, section I for eligibility outreach and communication guidelines for young adults in the Former Ward Program.)

K. Former Wards Drops (See Policy, Eligibility, and Transition into the Program, section I for eligibility outreach and communication guidelines for young adults who have been dropped from Former Ward.)

L. Current foster parent/placement adult

**Adopted**

1) If appropriate, inclusion of foster parent/placement adult at annual, in-person overview of Bridge to Independence provided by foster care caseworkers at one of the monthly Family Team Meetings to young people age 16-18 within the foster care system (first mentioned in Policy, Eligibility, and Transition into the Program, section II-A)

**Not Adopted**

2) Email or direct mail to foster parent/placement adult 90 days before youth ages out explaining the parent's potential role in YAVSS after the young person ages out, and what choices need to be made.

Adopted

3) Training through the contracted foster care agencies. General program messaging can be developed by the Marketing Task Force and may draw upon visiting speakers from Project Everlast and Jim Casey Youth.

Adopted

4) Informational brochures to be distributed at trainings, foster care meetings (similar to those to be given to service providers.)

**M. Foster Care Caseworkers and Supervisors**

Adopted

1) The program manual, cheat sheets, compliance checklists and initial training will be developed by DHHS.

Adopted

2) We recommend annual training sessions that incorporate outside information at staff trainings, including young adult panels from Project Everlast and experts, videos, webinars, handouts, etc. on late adolescent brain development from Jim Casey Youth Opportunities Initiative.

Adopted

3) Bridge to Independence overview brochures (as discussed in the Policy, Eligibility and Transition into the Program, section II) to be distributed to Bridge to Independence Prep audience at their annual, in-person program overview meetings between ages 16-18.

Adopted

4) Bridge to Independence exit packets (as discussed in Policy, Eligibility and Transition into the Program, section IV and V-B) to provide to ineligible and opt-out young adults

Adopted

5) Stories on the extended program's successes in any regular department communications (eNews, newsletter, etc.) Stories will be provided by Independence Coordinators to Russ Reno (as is currently done by foster care caseworkers) for distribution.

Adopted

6) Weekly conference calls for caseworkers and supervisors to share experiences and learn from one another and inclusion in existing operations meetings.

**N. Independence Coordinators and Supervisors (outside of job training to be determined.)**

Adopted

1) An Independence Coordinator website, housing all forms and brochures to be printed or ordered on demand, a peer-to-peer caseworker forum, success stories, training event schedule. This will be housed on the DHHS website, and created by DHHS based on the work done by the Marketing Task Force.

Adopted

2) Inclusion on the current monthly eNews

Adopted

3) Independence Coordinator weekly conference calls (similar to those used by foster care caseworkers).

**O. Service Providers**

Adopted

1) Fact sheets to communicate the needs and potential negative outcomes of young adults who have aged out of care, as well as the counteracting benefits provided by the extended program

Adopted

2) Brochures overviewing the benefits of the extended program. This will be the same overview brochure as is provided to foster parents.

Adopted

3) 60-minute program launch trainings in all service areas providing detailed, program specific information and materials to service providers, including human services organizations, and community partners. Content for these trainings and the best people to present the material will be decided upon by the Marketing Task Force. On launch training will be held in each service area, plus training for PALS, Branching Out and CSI for a total of 8 trainings.

Under Consideration

4) Quarterly lunch & learns (rotate service area) to train service providers on the extended program, provide materials and let them meet their extended program

contact. These will be conducted on a rotating basis by presenters to be determined by the Marketing Task Force.

P. Media/Public/Policy makers (non –regulatory communications that will filter through the media to public and policy makers.

- Adopted 1) These public relations materials will be handles by DHHS communications, building on the work o the Marketing Task Force, unless otherwise noted.
- Adopted 2) Program launch press conference
- Adopted 3) Press kit including
- o New program vs. Former Ward comparison sheet
  - o Cost expected to be avoided by making a better transition to adulthood
  - o Goals of the program/purpose
- Adopted 4) Three months post-launch of intensive pitching on topics to be determined by the Marketing Task Force.
- Under Consideration 5) Monthly or bimonthly media pitches by Nebraska Children and Families Foundation based on success stories from Project Everlast.
- Under Consideration 6) Annual outcome stories/program review pitches.

#### **CASE MANAGEMENT, SUPPORTIVE SERVICES, AND HOUSING**

I **Culture Change.** DHHS must recognize providing services through the Young Adult Voluntary Services (this program) will be a big culture change, not only for DHHS’ Children and Family Services but also the Legal System.

- Adopted A. DHHS is coming from a position of an adversary in the minds of these young adults. Young adults are apprehensive about DHHS being in this role. If DHHS doesn’t do well at the beginning, trust will be lost.
- Adopted B. DHHS will switch from a compliance role to being a partner with the young adults. Young adults driven. Give up the power. Strength-based. Guide the young adult to help them make decisions.
- Adopted C. The role of the people who work with the young adult is hands-on with connections to community services. Relationships are key.
- Adopted D. The system must be able to tolerate risk. When scrutinized, the system has to continue to remain true to its principle of Young adult-driven.
- 1) Media and political scrutiny sometimes result in more rules and DHHS must be able to resist that to benefit the young adult.

II **Recruitment, Selection, Training and Support of Staff and Supervisors.**

- Adopted A. Staff who work with the young adults should be titled “Independence Coordinators”. The title was created and voted upon by members of Project Everlast.
- Adopted B. Independence Coordinators (IC) should be specially trained. They should have specialized caseloads, when feasible. Supervisors should be specialized and trained and may need to work across service areas. Peer support should be provided to the Independence Coordinators.
- Adopted 1) IC will be identified 3-6 months before the transition of the young adult aging out of care so s/he can work to establish a relationship with the young adult.

Adopted

2) The orientation meeting between the “foster care worker” and the Independence Coordinator will take place at least 90 days before the young adult’s transition to Bridge to Independence.

Adopted

3) The young adult will decide the level of involvement of the existing case manager in his/her future team. The Independent Coordinator will be the facilitator of the team. This preserves the young adult’s voice and choice, at the same time meets the need for specialized workers with specialized caseloads.

Adopted

C. Care needs to be taken to select the ICs because a different skill set is required than for those who manage child and family caseloads.

Adopted

D. Caseload size should range from 15 in the rural areas up to 20 in urban areas. If young adults need more intensive services, such as for mental health services, they may be referred to others, such as the Regional Behavioral Health system.

Adopted

E. Territory shouldn’t be a factor. Current technology may be used to stay in contact with the young adult as long as confidentiality is addressed. IV-E requires face-to-face contact with the young adult one time per month. This will need to be addressed.

### III Coordination and Collaboration.

Adopted

A. Children and Family Services must ensure other divisions within DHHS, are involved and collaborating regarding this population to ensure their needs are met. Divisions which must be involved are: Medicaid, Adult Protective Services, Behavioral Health, Developmental Disabilities, Access Nebraska. These divisions will have valuable knowledge of resources and programs these young adults may be eligible for. They may be able to streamline processes for the young adults. Coordination and collaboration with community services and partners is critical because many serve this population and a collaborative approach ensures the most effective use of resources.

### IV Training that Addresses and Helps Professionals to Understand the Developmental Needs of Young Adults.

Adopted

A. Intense, comprehensive and focused towards needs, strengths and goals of the young adult. (see list of training topics in attachment C)

Adopted

B. Bring in experts from the community.

Adopted

C. Use curriculums that are already developed.

Adopted

D. Train judges, system partners.

### V Addressing Safety Issues in Developmentally Appropriate Manner

Adopted

A. Overall Safety for Young adults

Adopted

1) A skills assessment should be used as part of case management model.

2) Training should be provided to assist the Independence Coordinators to guide the young adults.

B. Safety – Legal Related Issues

Adopted

- 1) Follow mandatory reporting guidelines already established in regards to concerns about parenting (for children of young adults in the Bridge to Independence program).
  - o The Bridge to Independence Coordinator should not conduct an initial assessment for young adults or families on their caseload.

Adopted

- 2) If an IC is alerted to an unsafe or unethical working condition, the role of the Independence Coordinator is to educate, support and plan, and leave the decision making to the young adult.

Adopted

- 3) Educate young adults on how to use an attorney. Provide information in the community resource guide.

Adopted

- 4) The Independence Coordinator should only involve law enforcement if there is imminent risk.

**C. General Safety Issues**

Adopted

- 1) 24 hour on call support is available to young adults in times of crisis. Best practice is that the Independence Coordinator is available to meet the immediate needs of the young adult whenever possible.

**VI DHHS Case Management Practice for the Bridge to Independence Program**

Adopted

- A.** As a regular part of case management, the Independence Coordinator will coordinate and facilitate an “Independence Plan Meeting” with people identified by the young adult. Although this is similar to a “Family Team Meeting”, it is young adult driven. These meetings may need to be more than monthly and should be pro-active. The purpose of these meetings is to get everyone on the same page, bring together all existing plans, and assess where the young adult is on the goals. These meetings may be on specific topics such as employment, education, housing, and health, including mental health, including partners and professionals in the community. This information could be used for the Independent Living Transition Plan for the court.

Adopted

- B.** Case management should follow an evidence-based model that is developmentally appropriate and respectful of young adults' autonomy.

Adopted

- 1) DHHS should use a model specifically geared toward serving young adults transitioning to adulthood. The Transition to Independence Model (TIP) was discussed as a viable option to explore further. The workgroup acknowledges that there are other models in existence, but the TIP model has the advantage of already being used by some Behavioral Health Regions in Nebraska. TIP is more of a philosophy than a model, and the workgroup recommended that Trauma-Informed Care as well as Harm Reduction could and should be easily incorporated.

Adopted

- 2) DHHS form a group consisting of DHHS staff, DHHS and Center on Children, Families, and the Law trainers, Behavioral Health staff, young adults and service providers in the community who serve young adults. This group would fully explore the TIP model (as well as any other models the Department identifies) as it relates to serving young adults to determine the best option.



Not Adopted

3) Model identification, curriculum development, and implementation steps be conducted in the calendar year 2014 in anticipation that full model implementation would occur in January, 2015.

Adopted

C. Because the Bridge to Independence Program begins January, 2014, the workgroup recommends HHS and CCFL consult with community service providers to create an interim training curriculum for Independence Coordinators until an evidence based model is selected and implemented.

Adopted

1) DHHS should explore the possibility of using System of Care grant funds for the costs of training.

Adopted

D. The workgroup supports the service list created by DHHS and circulated in the initial set of recommendations. The service list is attached at the end of these recommendations.

The workgroup learned at the beginning of our assignment that Thomas Pristow had decided that DHHS will do case management for this population. As the group answered the Guiding Questions, several key points surfaced. That information is in the longer document from the work group. The work group recognizes and appreciates the open and collaborative process of the Rules and Regulation Work Group. DHHS should continue to be collaborative and invite feedback throughout the development and implementation process. We will all be working outside of our comfort zone as we figure this out, but debate is productive and must continue. Everyone wants this to succeed for the young adults and the outcomes for the young adults are most important.

## **VII Housing Options**

Adopted

A. Housing decisions should be directed by the young adult, with case managers being as flexible as possible. Case managers or other case professionals should not immediately decline the young adult's housing plan. Rather, if case professionals have concerns regarding safety, the case manager should first explore the option of developing a contingency plan with the young adult in an effort to allow the decision to be young adult-directed and respectful of the young adult's autonomy while still maintaining safety. It is important that young adults have the opportunity to make mistakes within the safety net offered by this program.

Adopted

B. The Independence Coordinator will help guide young adults into finding safe and secure housing. LB 216 has a requirement that young adults be provided a written 30-day ineligibility notification before they are no longer in the program. If unsafe housing is chosen, the IC will inform the young adult their housing choice doesn't meet safety standards. The IC will give the young adult the option of finding safe housing that does meet safety standards in 30 days. If the young adult doesn't find new housing that meets the safety standards in those 30 days, the young adults will be given a 30-day verbal and written notice that s/he will not be eligible for the housing stipend. The written notice (in addition to verbal) of the unsafe housing should include what acceptable housing options would be, and the timeline they have to correct the problem (30 days to fix, then 30 days before

termination). Case management will continue. We believe this meets the IV-E requirements but further research may be needed.

Adopted

C. Supervised Independent Living Setting options should include as many options as possible, such as single or shared apartment, house, college dormitory, other post-secondary educational or vocational housing (e.g. sorority/fraternity housing), parental home, scattered site housing, supportive housing, host homes, transitional living programs, halfway housing, three quarter way housing, sober living housing, etc. Mental health facilities and treatment facilities should also be included as housing options. A wide variety of housing options is necessary to provide for the variety of needs of young adults.

Adopted

D. Whenever possible, housing subsidies should be provided directly to young adults. If that is unable to happen, an informal contract should be developed between the young adult and the third party recipient to clarify how the subsidy will be used. IV-E requirements must be met in specific settings. The case manager should help facilitate this process in a way that is empowering to the young adult.

#### **CASE OVERSIGHT**

##### **I Case Reviews**

Adopted

Feb. Start Date

A. Recommend that the Mediation Centers conduct 6-month reviews in a structure similar to pre-hearing conferences based on recommendations and needs of the young adult. The justification is that the Mediation Centers have an existing process that feeds into court reviews, have statewide infrastructure and trained facilitators that are uniquely qualified to give people voice and could be very young adult-directed. Young adults would be invited and encouraged but not required to attend 6-month reviews. Young adults that do not attend the review would have the opportunity to provide input in writing.

1) The workgroup also considered the Foster Care Review Office as an alternative.

Benefits of the FCRO include that there is an existing process in place that could be modified to fit this need, the ability to track and disseminate data and that the FCRO is an independent state agency that does not receive DHHS funding.

Adopted

B. The caseworker should discuss the 6-month review with the young adult at the monthly meeting prior to the review. The written case/transition plan should contain information and questions focused on the 6-month case review. The caseworker and the young adult should complete those questions at their meeting prior to the 6-month case review. This should advise the young adult of the date and location of the review and what will happen at and the benefits of attending the review.

Adopted

1) The written case/transition plan should have a space for the young adult to indicate if they plan to attend the review or not.

Adopted

2) 2. The written case/transition plan should have a space for the young adult to indicate if they would like to have their attorney attend the review on their behalf (if they have requested that one be appointed). These arrangements would need to be made separately between the attorney and the young adult, and attorneys should inquire about this with young adults they are representing.

Adopted

Adopted

Adopted

Adopted

Adopted

Adopted

Adopted

Adopted

Adopted

Adopted

Adopted

Not Adopted

Adopted

Adopted

Adopted

- C. If the young adult opts not to attend the review, the default should be that the reviewer conducts a paper review.
- D. Young adults should have the opportunity to submit written input for case reviews.
  - 1) A modified version of the Youth Questionnaire should be provided to young adults with the notice of review to provide written input if they cannot attend the review.
  - 2) The caseworker should also provide a hard copy of the questionnaire to the young adult at the monthly meeting prior to the review.
  - 3) The questionnaire should also be available on the website and provided in the packet when the young adult enters the program.
  - 4) The website should allow the young adult to submit the questionnaire electronically. The packet and the caseworker should inform the young adult of how they can submit the form to the reviewer.
- E. Focus and documentation of case reviews
  - 1) The Department should provide the case plan at the 6-month case review. This should be a modified form of the under 19 transition plan and should utilize best practices from the Jim Casey Issue Brief.
  - 2) The reviewer for the 6-month case review should have a form that tracks the case/transition plan but that is shorter and meets the requirements of the state statute and federal law for the review.
  - 3) The young adult should have an opportunity to report at the review on what contact they have had with their caseworker, what they have agreed upon and whether those services have been provided. The form used at the review should specifically address these issues. If the young adult opts not to attend the review, there should be a space for the young adult to address these issues in the questionnaire.
  - 4) The young person should be centrally involved in the development of the case/transition plan. The case/transition plan should be completed in hard copy so the caseworker and the young adult can complete the form together at their in-person meeting.
  - 5) Examples from other states, specifically Michigan's transition plan, should be used as a guide.
  - 6) The case/transition plan should build off of the categories in Nebraska's under 19 transition plan and should add additional categories including: transportation, parenting resources, and substance abuse. The case/transition plan should also track the services enumerated in LB 216 (codified in Neb. Rev. Stat. § 43-4505).
  - 7) The workgroup and members of Project Everlast should have an opportunity to review and provide input on drafts of the transition/case plan and forms used at the review.
  - 8) Recommend that a report or other documentation be completed at the 6-month case review. If an agreement is reached on the status and progress of the case, the report would be signed by the young adult and the Department and submitted to the court. This would give the court background on the 6-month case review for the 12-month permanency hearing or other hearing. If there is a lack of agreement, it would be documented in the report and the young adult can choose not to sign the report if

they wish. Regardless of whether they agree or disagree, the young adult should be provided information about how to request a hearing and/or an attorney. There should be further discussion of what this report should look like and how it can be young adult-friendly.

## **II Permanency Hearings.**

Adopted

A. Recommend that legislation be introduced to require that permanency hearings and other requested hearings in these cases be expedited.

Adopted

B. Recommend that a hearing officer be appointed if the young adult makes a request, time necessitates it (i.e., a hearing before a judge would cause significant delay), the young adult does not want the judge to hear their case or the judge believes a hearing officer should be appointed.

Adopted

C. Recommend that the Nebraska Supreme Court promulgate a rule on hearing officers in juvenile courts pursuant to Neb. Rev. Stat. § 24-230 (5). The Case Oversight workgroup of Young Adult Voluntary Support and Services Advisory Committee will also request to propose recommendations for the rule to the Nebraska Supreme Court.

Adopted

D. There should be a legislative amendment if necessary to clarify that the juvenile court has authority to review when a young adult is involuntarily terminated from the program.

Adopted

E. A modified version of the Youth Questionnaire should also be provided to young adults at the monthly meeting prior to the permanency hearing to provide written input if they cannot attend the hearing, and the young adult should be informed of how they can submit the form to the court or electronically.

## **III Notifying Young Adults of Right to Request Attorney and Hearing**

Adopted

A. There should be notice to the young person of their right to an attorney and a hearing at the end of the 6-month review if there is disagreement. This should be the same or similar to the written notice required to be provided at other times. The reviewer should provide this information to the young adult.

Adopted

B. A form should be created for young adults to request a hearing outside of the 6-month review and should be provided in the packet when the young person enters the program.

## **IV Meaningful Participation of Young Adults**

Adopted

A. Recommend that reviews follow best practice recommendations from the Jim Casey Young Adults Opportunities Initiative Issue Brief for ensuring young adults are full partners in the process, the venue of reviews are young adult-friendly, and that young adults are prepared for meaningful participation, including:

Adopted

- 1) Ensuring the venue is young adult-friendly should include that reviews take place in an informal setting/outside the courtroom whenever possible, that those responsible for reviews have training on how to ask questions to young adults, and that reviews are scheduled at times that allow for the participation of young adults (i.e., physical presence whenever possible and when young adults cannot be physically present or

decline to attend, have an option to participate in reviews using technology or have their voice heard through an appropriate advocate).

Adopted

- 2) Preparing the young person for meaningful participation should start with notice of time, place and purpose of the review and the right to and role of an attorney, letting the young adult know how they can initiate a hearing to address problems or concerns that arise between reviews, identification of other people the young person may want to be present at reviews and help in making arrangements for their attendance, and helping the young person prepare for how they will respond to issues of concern that may arise in the hearing.

Adopted

- B. There should be outreach to young adults and developmentally appropriate ways for young adults to be informed about this program and to access information about their rights and the hearing process, including a video and/or brochure, website, Facebook page, a phone number to call for assistance if there is a problem (perhaps associated with the helpline or Project Everlast) and notice and reminders sent via text message.

Adopted

- C. There should be a peer advocacy program through Project Everlast to accompany young people to reviews and hearings if desired and to support and provide information to them ahead of time.

Adopted

- D. The caseworker and attorney (if appointed) should work with the young adult to help them reach out to other supportive individuals they may wish to have attend reviews.

Adopted

- E. Materials should be created that include a brief set of principles about how permanency hearings in the extended program are different from a (3)(a) hearing and how legal representation is to be young adult-directed.

## V Training

- A. Recommend training for professionals involved in these cases, including attorneys, judges, CASAs and others. The training for attorneys should supplement the current guardian ad litem training, and should be offered as a webinar for ease of participation. Other training opportunities, such as a more advanced training or training required or incorporated into the GAL Guidelines, should be considered in the future.

The workgroup discussed that training should cover how a GAL should advise a potentially-eligible young adult about the program and the role of the attorney if appointed to represent a young adult in the extended program, and should offer CLE, GAL and ethics credits whenever possible. The workgroup agreed that the Court Improvement Project should provide and/or partner to provide this training. The workgroup also agreed that there should be templates, protocols and forms developed to assist young adults, judges, reviewers, attorneys and other professionals.

## **EVALUATION AND DATA COLLECTION RECOMMENDATIONS**

### I Evaluation Tool

- A. Currently, federal requirements mandate that all states implement a 22-question National Young Adults in Transition Database (NYTD) survey with all Young Adults in foster care at 17,

Not Yet

and then again at 19 and 21. Nebraska implemented this survey with 17-year-olds in Oct. 2010 and will do so again in Oct. of this year (selection occurs every 3 years). States have the option of implementing two more comprehensive versions of NYTD instead of the basic 22-question survey, which are known as NYTD Plus Abbreviated (57 questions) and NYTD Plus Full (88 questions).

In order to compare outcomes of young adults in the extended services and support program to those who are not in the program, we recommend that DHHS switch from the 22-question NYTD survey to a slightly altered version of NYTD Plus Abbreviated. Prior to finalization of the survey, we recommend it be piloted with members of Project Everlast and adjusted accordingly. The Jim Casey Youth Opportunities Initiative may be available to provide some technical assistance in finalizing the survey. We also recommend that all young adults in the extended program be surveyed at the time of entry and every 6 months after so progress can be tracked. Gathering data every 6 months will also allow for outcomes to be measured for young adults who participate in the program for a shorter period of time, such as 1 year. Surveys from young adults in the extended program can be collected either at two set times per year (similar to how Project Everlast/Opportunity Passport collect surveys) or at regular 6 month intervals, which the caseworker will be responsible for monitoring.

**Under Consideration B.** We recommend that a public/private partnership be explored to allow a contract with an independent external evaluator for outreach and collection of surveys, as this agency would have more time to dedicate to collecting surveys and could help young people feel more comfortable in answering honestly. Young adults could take the survey by phone, by submitting a written copy via mail, or online. We recommend that emphasis during Year 1 of implementation be on collecting surveys from young adults in the program, with efforts expanding to young people not in the program in Year 2. Surveys may should continue to be collected from young adults not in the extended program by DHHS at 19 and 21, per federal guidelines. This independent external agency (in collaboration with DHHS) would be responsible for the initial analysis of data collected and assisting the Advisory Committee in meeting the reporting requirements set forth in Sec. 13 (1) of LB 216. The independent external agency would also be responsible for providing the Advisory Committee with a more comprehensive evaluation report by December 2015.

**Not Adopted C.** If possible, we recommend that random ID numbers be assigned at the time the young person takes the survey to maintain confidentiality. We recommend that DHHS explore whether the Jim Casey Youth Opportunities Initiative would be available for technical assistance on this. We recommend that all NYTD responses (of both those in and not in the program) be stored in an excel spreadsheet, which the independent external agency contracting with DHHS has ongoing and easy access to.

**Adopted D.** We recommend that DHHS include mention of the NYTD survey in the voluntary services and support agreement young adults are required to sign upon entrance into the program. We recommend that this is kept broad (e.g. "I agree to participate in the NYTD survey") and that adherence to this item not be used as a basis for termination from the program. If necessary comply with any regulations to protect information for research participation.

Not Adopted

E. We recommend that, if possible, N-FOCUS be programmed to automatically trigger the sending of a reminder to young people when it is time for them to take the survey (similar to how N-FOCUS would send the 30-day ineligibility notice). This could include a link to the survey online and a phone number to call if the young person wanted to take the survey via phone or needed a paper copy sent to him/her.

Under Consideration

F. Private funding streams should be explored to offer incentives to both groups of young adults to encourage participation in the survey. We recommend that these incentives be offered in the form of \$10 gift cards for only young adults in the program starting in Year 1, and both those in and not in the program starting in Year 2.

## II Fiscal Accountability

Adopted

A. We recommend that DHHS track all expenditures and provide quarterly reports detailing itemized program service costs and program administrative costs, including, but not limited to, specifics about administrative costs, salaries, training costs (including itemized costs, the cost of materials, the number of attendees at each training, travel costs, and the cost to train the trainers), and staff and supervisor turnover and changes (including the location of staff and supervisors), to the Advisory Committee. This should also include itemized adoption and guardianship costs and the state-extended guardianship assistance program costs.

Adopted

B. We recommend that the Advisory Committee review these reports, provide recommendations to DHHS and the Children's Commission if necessary, and include the financial reports and any recommendations made as a part of their annual report to the Children's Commission, HHS Committee of the Legislature, DHHS, and the Governor of the state of Nebraska.

## III Tracking Supportive Services

Adopted

A. To ensure young adults are receiving the supportive services they need to guide them to success, case managers should clearly document and track specific services provided in the young adult's transition plan and in reports for case reviews and permanency hearings.

Adopted

B. We recommend that judges or hearing officers or both utilize a series of age-appropriate questions modeled after those in Through the Eyes' Transition Planning Guide or in NRCYD's resource during hearings to asking young adults about their transition plan, services they're receiving etc.

Adopted

C. We recommend that the Foster Care Review Office (FCRO) review files for young adults in the extended program to track service provision as they are mandated to do for children and youth in foster care. The rationale for this is that the FCRO already has that capacity and the necessary information systems in place, re-training would not be necessary, and this would be consistent with their current practice.

**IV Young Adult Satisfaction**

**Not Adopted**

A. We recommend that the independent external agency contracting with DHHS (as discussed in the Evaluation Tool section) collect short exit surveys from all young adults leaving the program to assess the reason for leaving and overall satisfaction with the experience. The Evaluation and Data Workgroup is in the process of developing an example survey, which should be piloted with Project Everlast prior to finalization. We recommend that this survey be provided as a part of the Exit Packets (per the Communication Workgroup's recommendation) along with a stamped envelope for young adults to return the survey to the independent external agency. If the survey is not returned in 3 weeks, the independent external agency could then follow up with the young person via phone, mail, or internet. We recommend that an incentive of \$10 gift cards be provided to young adults for taking the exit survey. We recommend that public/private partnerships be explored to make this happen.

**V Public/Private Partnership**

**Adopted**

A. Private funding and public/private partnerships should be explored to support the implementation of these recommendations. The estimated cost for the independent external evaluator is approximately \$42,000 for two years of implementation: \$32,000 for survey collection and \$10,000 for evaluator and analysis costs.

**FISCAL MONITORING ISSUES AND STATE FUNDED GUARDIANSHIP**

*Note: Recommendations (all committee members strongly agreed or agreed with the following:*

**Adopted**

A. Modify existing statutory language to comply with the requirements of LB 216 to extend guardianship assistance beyond age 19.

**Adopted**

B. DHHS will need to remove barriers to licensure (including educating potential guardians of the benefits of licensure and providing a list of long term care options, educating case workers, non-safety waivers) to ensure that more young adults can be served by the Federal Guardianship Assistance Program.

**Adopted**

C. Information regarding extended services should be provided to all relevant court stakeholders (judges, hearing officers, attorneys) to ensure that orders and petitions are IV-E compliant.

**Adopted**

D. DHHS should provide an easy-to-understand document to all caseworkers, judges, appointed attorneys, applicable young adults, providers, potential guardians and foster parents detailing the eligibility requirements for the Bridge to Independence program.

**Not Adopted**

E. There should be private dollars and state general funds utilized in a public private partnership to fully fund all eligible state extended guardianships.

**Adopted**

F. DHHS will provide financial support for state extended guardianships to the extent possible with the \$400,000 appropriation, after which the young adult should be transferred to NCCF



(or other entity) for money distribution and education/work eligibility. DHHS should continue to maintain NFOCUS records.

Adopted

- 1) If the state general fund allocation of \$400,000 is the only funding source permitted to support the state extended guardianship program, extended subsidies should be provided to young adults at the assessed rate until the age of 20 (one year).

Adopted

- G. An Income Maintenance Foster Care (IMFC) worker should review the financial needs and behavioral risks of the young adult prior to the age of 19 to determine the amount of subsidy to be provided by the state extended guardianship subsidy.

Adopted

- H. No formal case management services will be provided under the state extended guardianship assistance program. Instead, an IMFC worker should conduct the initial eligibility assessment, with the young adult meeting with the IMFC once every 6 months to verify continued eligibility.

Under Consideration

I. After an IMFC worker establishes the monthly guardianship stipend, Right Turn should provide transition support to facilitate the Partnership Agreement.

Under Consideration

J. Right Turn has the ability to work with all guardianships and adoptions prior to age 19 and should receive private dollars to support administrative functions to continue to work with young adults in guardianships and adoptions after age 19.

Under Consideration

- K. Right turn will provide the state and private funded guardianship stipends to guardians and young adults (as determined by Partnership Agreement) as they help to increase permanency and stability in these relationships. DHHS should also consider having Right Turn facilitate the Federal Guardianship and Adoption Assistance program for young adults after age 19.

Adopted

- L. Right turn will provide training and information on extended permanency subsidies to young adults and families.

Adopted

- M. State extended guardianship assistance subsidy payments should be paid directly to the young adult, or as developmentally appropriate, direct payments to the young adult could be phased in over time. A partnership agreement between the guardian and young adult should be considered and other staggering support system should be in place to learn how to budget appropriately.

Adopted

- 1) The Young Adult and Guardian will enter into an Extended Partnership Agreement that is developmentally appropriate and clearly outlines the financial arrangement for young people to have housing, food and other needs met.

Adopted

- 2) For any young adult whose guardian fails or is unable to distribute the supportive payment to the young adult, DHHS should set forth a grievance procedure.



## Nebraska Children's Commission Action Agenda

Work Group Strategic Recommendations	Action Needed	Notes
<p><b>Community Ownership of Child Well-Being:</b> Encourage timely access to effective services through community ownership of child well-being.</p> <ul style="list-style-type: none"> <li>• Identify, promote and achieve broad support for key elements for successful families including youth transitioning to adulthood (with no assumption the State is the sole provider).</li> <li>• Map available data for resources, gaps, needs and services, including public and private resources and services.</li> <li>• Build state level infrastructure for prevention with integration and blended funds.</li> <li>• Strengthen and expand community collaboratives.</li> </ul> <p><b>Status</b></p> <ul style="list-style-type: none"> <li>• Foundation laid for consensus on child-well being outcomes and indicators with Commission endorsement of proposed draft of Whole Population Indicators.</li> <li>• Model for Community Ownership of Child Well-Being developed with consultation from national expert Deborah Daro (Chapin Hall) and approved by the Commission.</li> <li>• Community collaboratives established or in formation stage using that model are in multiple communities across the state with a focus on prevention services, including resources for Alternative Response to prevent entry of children into the child welfare system.</li> <li>• Assessment of Facilitated Conferencing as a resource in juvenile court cases; recommendation for funding for Facilitated Conferencing with an evaluation component included was approved by the Commission. Testimony presented at hearing on LB 1093 to support facilitated conferencing.</li> <li>• Beginning work on potential for blended funding for child welfare initiatives and services, including public private funding sources.</li> </ul>	<p><b>Action Plan</b></p> <ul style="list-style-type: none"> <li>• Work in collaboration with other entities to develop consensus on use of child well-being outcome indicators across systems.</li> <li>• Determine potential role of state level collective impact group.</li> <li>• Increase number of community collaboratives.</li> <li>• Translate data elements useful to communities.</li> <li>• Address barriers to success through the community collaboration process.</li> <li>• Identify potential funding resources for infrastructure.</li> <li>• Assess implementation of the Model for Community Ownership and adapt the model as needed with a focus on school engagement, focus on prevention and addressing needs of special populations.</li> </ul>	

Work Group Strategic Recommendations	Action Needed	Notes
<p><b>System of Care:</b> Support a family driven, child focused and flexible system of care through transparent system collaboration with shared partnerships and ownership.</p> <ul style="list-style-type: none"> <li>• Develop a shared commitment to system of care values that includes trauma informed response.</li> <li>• Invest in prevention.</li> <li>• Develop differential response system.</li> <li>• Identify model for collaboration and cooperation.</li> <li>• Develop team-based approach for decision making</li> <li>• Realign operations to support trauma informed system of care.</li> </ul> <p><b>Status</b></p> <ul style="list-style-type: none"> <li>• Design for Nebraska System of Care (SOC) Planning Project developed with active participation by Commission representatives</li> <li>• Alternative Response (differential response) pilots are in place utilizing IV-E Waiver with Commission in role of monitoring and providing input.</li> </ul>	<p><b>Action Plan</b></p> <ul style="list-style-type: none"> <li>• Continued assessment and input regarding Alternative Response implementation.</li> <li>• Advocate to move SOC strategic plan forward.</li> <li>• Advocate for investment of resources in prevention.</li> <li>• Utilize education to action strategy for <ul style="list-style-type: none"> <li>✓ Family centered practice</li> <li>✓ Family driven – youth guided models</li> <li>✓ Trauma informed care at all levels of system of care</li> </ul> </li> </ul>	
<p><b>Technology:</b> Utilize technological solutions to information exchange and ensure measured results across systems of care.</p> <ul style="list-style-type: none"> <li>• Create appropriations schedule utilizing system design</li> <li>• Explore university expertise for data analysis.</li> <li>• Reach agreement on population outcomes and indicators.</li> <li>• Develop common data systems and standards with external data mining.</li> <li>• Design data system for integration, coordination and accessibility.</li> <li>• Develop action steps in cross-divisional programming.</li> </ul> <p><b>Status</b></p> <ul style="list-style-type: none"> <li>• Stakeholders group with key systems people at the table identifying barriers, opportunities and options.</li> <li>• Options for data sharing initiatives analyzed.</li> <li>• Identified data sharing models in use in other states.</li> <li>• Commission endorsement of draft whole population measures document.</li> </ul>	<p><b>Action Plan</b></p> <ul style="list-style-type: none"> <li>• Develop framework for Commission child welfare/juvenile justice data dashboard to provide clear focus on selected indicators utilizing Chapin Hall expertise.</li> <li>• Identify technology solutions to produce data for the dashboard.</li> </ul>	

Work Group Strategic Recommendations	Action Needed	Notes
<p><b>Workforce:</b> Foster a consistent, stable, skilled workforce serving children and families.</p> <ul style="list-style-type: none"> <li>• Benchmark the state with the lowest caseworker turnover (or states where children have the fewest worker changes.</li> <li>• Develop plan for retention of frontline staff.</li> <li>• Develop retention plan for caseworkers.</li> <li>• Assess and address morale and culture.</li> <li>• Address education and training for staff, including trauma informed care.</li> <li>• Clearly define point person and roles of persons/entities working with children and families.</li> <li>• Conduct comprehensive review of caseworker training and curriculum.</li> <li>• Develop pilot project (urban and rural) for guardians ad litem.</li> <li>• Hire and adequately compensate well-trained professionals.</li> </ul> <p><b>Status</b></p> <ul style="list-style-type: none"> <li>• Priorities identified as initial steps with consensus in place for recommendations to address salary and compensation issues and provide for career trajectories .</li> </ul>	<p><b>Action Plan</b></p> <ul style="list-style-type: none"> <li>• Enhance and refine recommendations regarding salary/compensation issues and career trajectories.</li> <li>• Assess and clarify roles/requirements for visitation workers and YRTC staff.</li> <li>• Assess and define roles and expectations for attorneys in juvenile court.</li> </ul>	

Legislative Assigned Task	Action Needed:	Notes
<p><b>Service Area Networks:</b> Establish networks in each of service areas.</p> <ul style="list-style-type: none"> <li>• Involve the following in network formation: administrators from each of the service areas, 1184 teams, local foster care review boards, child advocacy centers, the teams created pursuant to the Supreme Court's Through the Eyes of the Child Initiative, community stakeholders, and advocates for child welfare programs and services.</li> <li>• Include unique strategies developed by each service area in the statewide strategic plan with assistance from the Department of Health and Human Services in identifying the needs of each service area. [taken from Neb. Rev. Stat. §43-4203(1)]</li> </ul> <p><b>Status</b></p> <ul style="list-style-type: none"> <li>• The Model for Community Ownership of Child Well-Being, developed by the Community Ownership Work Group, approved by the Commission, and implemented in multiple communities, provides structure for network development and serves as a framework for formation of community networks.</li> <li>• Community collaborative involving public and private sector stakeholders in place in every service area (map included in the Model document).</li> <li>• Multiple stakeholders involved in network formation process, including assessment of local needs, as well as resource mapping.</li> </ul>	<p><b>Action Plan</b></p> <ul style="list-style-type: none"> <li>• Assess the role of the community collaborative network in meeting the intent of the language of LB 821 regarding service area networks.</li> <li>• Assess the effectiveness of the community collaborative strategy in addressing community needs and improving outcomes.</li> <li>• Incorporate strategies adopted in each service area in Commission Strategic Plan.</li> </ul>	

Legislative Assigned Task	Action Needed:	Notes
<p><b>DHHS Structure:</b> Review the operations of the department regarding child welfare programs and services and recommend, as a part of the statewide strategic plan, options for attaining the legislative intent. . . , either by the establishment of a new division within the department or the establishment of a new state agency to provide all child welfare programs and services which are the responsibility of the state. [taken from Neb. Rev. Stat. §43-4201(d) &amp; §43-4204(3)]</p> <p><b>Status</b></p> <ul style="list-style-type: none"> <li>• Ongoing review of department operations through series of reports/presentations by the department at Commission meetings with opportunity for discussion and input.</li> <li>• Presentations reviewing department functions and outcomes at Commission meetings by Director of the Foster Care Review Office and the Inspector General for Child Welfare.</li> </ul>	<p><b>Action Plan</b></p> <ul style="list-style-type: none"> <li>• Monitor the work being done under Legislative Resolution 535 (LR 535) which will be reviewing the structure of DHHS.</li> <li>• Review literature/reports/findings on child welfare state agency structure in other states.</li> <li>• Review the Attestation Report – DHHS Child Welfare.</li> <li>• Review findings in Hornby Zeller report (due in December 2014).</li> <li>• Develop a framework for formulating recommendations per responsibilities assigned in LB 821.</li> </ul>	
<p><b>Lead Agency:</b> Consider the potential of contracting with private nonprofit entities as a lead agency in a manner that maximizes the strengths, experience, skills, and continuum of care of the lead agencies in development of a strategic plan for child welfare program and service reform. [taken from Neb. Rev. Stat. §43-4204(1)(a)]</p> <p><b>Status</b></p> <ul style="list-style-type: none"> <li>• Presentations and reports from Nebraska Families Collaborative at Commission meetings.</li> </ul>	<p><b>Action Plan</b></p> <ul style="list-style-type: none"> <li>• Review literature/reports/findings on use of lead agencies in other states.</li> <li>• Review the findings in the Hornby Zeller report (due in December 2014).</li> <li>• Develop a framework for formulating recommendations related to Lead Agency utilization.</li> </ul>	

Legislative Assigned Task	Action Needed:	Notes
<p><b>Evidence-Based Prevention and Early Intervention:</b> Consider strategies to support high-quality evidence-based prevention and early intervention services that reduce risk and enhance protection for children. [taken from Neb. Rev. Stat. §43-4204(1)(b)]</p> <p><b>Status</b></p> <ul style="list-style-type: none"> <li>• Model for Community Ownership of Child Well-Being includes provision for evidence-based early intervention services.</li> <li>• OJS Committee has plan for arriving at a shared understanding of use of “evidence-based” criteria in juvenile services.</li> </ul>	<p><b>Action Plan</b></p> <ul style="list-style-type: none"> <li>• Schedule a panel presentation on high-quality evidence-based prevention and early intervention for Commission meeting.</li> <li>• Coordinate Commission efforts with the work being done on the evaluation of evidence-based practices for juvenile justice programs.</li> <li>• Review the Hornby Zeller report due out in December 2014.</li> <li>• Determine how evidence-based work should be handled by the Commission in conjunction with efforts of the Community Ownership of Child Well-being Workgroup.</li> </ul>	
<p><b>Child Welfare Indicators:</b> Identify the type of information needed for a clear and thorough analysis of progress on child welfare indicators. [Neb. Rev. Stat. §43 4204(1)(d)]</p> <p><b>Status</b></p> <ul style="list-style-type: none"> <li>• Whole Population measures developed by the Community Ownership of Child Well-being Workgroup and Technology Workgroup, in conjunction with the Prevention Partnership and approved by the Commission.</li> </ul>	<p><b>Action Plan</b></p> <ul style="list-style-type: none"> <li>• Continue collaborative effort with the Prevention Partnership to develop plan for utilizing whole populations measures to gauge progress toward improving child well-being outcomes in Nebraska.</li> <li>• Utilize Chapin Hall as a resource to identify appropriate data to use for analysis of progress on child welfare indicators.</li> </ul>	



Legislative Assigned Task	Action Needed:	Notes
<p><b>Statewide Automated Child Welfare Information System:</b>            Develop plan for a statewide automated child welfare information system to integrate child welfare information into one system in collaboration with the department. [Neb. Rev. Stat. §43-4206]</p> <p><b>Status</b></p> <ul style="list-style-type: none"> <li>Contract with NDHHS for evaluation of the child welfare system resulted in Child Welfare Information System Strategic Plan report.</li> </ul>	<p><b>Action Plan</b></p> <ul style="list-style-type: none"> <li>Continue review of options for a statewide automated child welfare information system utilizing the <i>Child Welfare Information System Strategic Plan Report</i> and other resources to determine strategies that should be considered for further recommendations.</li> <li>Utilize Technology Work Group stakeholder group to identify strengths and weaknesses of existing system and proposed solutions.</li> </ul>	



Nebraska Children's  
Commission  
Action Agenda

## Community Ownership of Child Well-being Strategic Recommendations

- \* Encourage timely access to effective services through community ownership of child well-being.
  - \* Identify, promote and achieve broad support for key elements for successful families including youth transitioning to adulthood (with no assumption the State is the sole provider).
  - \* Map available data for resources, gaps, needs and services, including public and private resources and services.
  - \* Build state level infrastructure for prevention with integration and blended funds.
  - \* Strengthen and expand community collaboratives.

## Community Ownership of Child Well-being Status

- \* Foundation laid for consensus on child-well being outcomes and indicators with Commission endorsement of proposed draft of Whole Population Indicators.
- \* Model for Community Ownership of Child Well-Being developed with consultation from national expert Deborah Daro (Chapin Hall) and approved by the Commission.
- \* Community collaboratives established or in formation stage using that model are in multiple communities across the state with a focus on prevention services, including resources for Alternative Response to prevent entry of children into the child welfare system.
- \* Assessment of Facilitated Conferencing as a resource in juvenile court cases; recommendation for funding for Facilitated Conferencing with an evaluation component included was approved by the Commission. Testimony presented at hearing on LB 1093 to support facilitated conferencing.
- \* Beginning work on potential for blended funding for child welfare initiatives and services, including public private funding sources.

## Community Ownership of Child Well-being Action Plan

- \* Work in collaboration with other entities to develop consensus on use of child well-being outcome indicators across systems.
- \* Determine potential role of state level collective impact group.
- \* Increase number of community collaboratives.
- \* Translate data elements useful to communities.
- \* Address barriers to success through the community collaboration process.
- \* Identify potential funding resources for infrastructure.
- \* Assess implementation of the Model for Community Ownership and adapt the model as needed with a focus on school engagement, focus on prevention and addressing needs of special populations.

## System of Care Strategic Recommendations

- \* Support a family driven, child focused and flexible system of care through transparent system collaboration with shared partnerships and ownership.
  - \* Develop a shared commitment to system of care values that includes trauma informed response.
  - \* Invest in prevention.
  - \* Develop differential response system.
  - \* Identify model for collaboration and cooperation.
  - \* Develop team-based approach for decision making
  - \* Realign operations to support trauma informed system of care.

## System of Care Status

- \* Design for Nebraska System of Care (SOC) Planning Project developed with active participation by Commission representatives
- \* Alternative Response (differential response) pilots are in place utilizing IV-E Waiver with Commission in role of monitoring and providing input.

## System of Care Action Plan

- \* Continued assessment and input regarding Alternative Response implementation.
- \* Advocate to move SOC strategic plan forward.
- \* Advocate for investment of resources in prevention.
- \* Utilize education to action strategy for:
  - \* Family centered practice
  - \* Family driven – youth guided models
  - \* Trauma informed care at all levels of system of care



## Technology Strategic Recommendations

- \* Utilize technological solutions to information exchange and ensure measured results across systems of care.
- \* Create appropriations schedule utilizing system design
- \* Explore university expertise for data analysis.
- \* Reach agreement on population outcomes and indicators.
- \* Develop common data systems and standards with external data mining.
- \* Design data system for integration, coordination and accessibility.
- \* Develop action steps in cross-divisional programming.

## Technology Status

- \* Stakeholders group with key systems people at the table identifying barriers, opportunities and options.
- \* Options for data sharing initiatives analyzed.
- \* Identified data sharing models in use in other states.
- \* Commission endorsement of draft whole population measures document.

## Technology Action Plan

- \* Develop framework for Commission child welfare/juvenile justice data dashboard to provide clear focus on selected indicators utilizing Chapin Hall expertise.
- \* Identify technology solutions to produce data for the dashboard

## Workforce Strategic Recommendations

- \* Foster a consistent, stable, skilled workforce serving children and families.
  - \* Benchmark the state with the lowest caseworker turnover (or states where children have the fewest worker changes).
  - \* Develop plan for retention of frontline staff.
  - \* Develop retention plan for caseworkers.
  - \* Assess and address morale and culture.

## Workforce Strategic Recommendations

- \* Foster a consistent, stable, skilled workforce serving children and families.
  - \* Address education and training for staff, including trauma informed care.
  - \* Clearly define point person and roles of persons/entities working with children and families.
  - \* Conduct comprehensive review of caseworker training and curriculum.
  - \* Develop pilot project (urban and rural) for guardians ad litem.
  - \* Hire and adequately compensate well-trained professionals.

## Workforce Status

- \* Priorities identified as initial steps with consensus in place for recommendations to address salary and compensation issues and provide for career trajectories .

## Workforce Action Plan

- \* Enhance and refine recommendations regarding salary/compensation issues and career trajectories.
- \* Assess and clarify roles/requirements for visitation workers and YRTC staff.
- \* Assess and define roles and expectations for attorneys in juvenile court.

## Service Area Networks

Neb. Rev. Stat. §43-4203(1)

- \* **Establish networks in each of service areas.**
  - \* **Involve the following in network formation: administrators from each of the service areas, 1184 teams, local foster care review boards, child advocacy centers, the teams created pursuant to the Supreme Court's Through the Eyes of the Child Initiative, community stakeholders, and advocates for child welfare programs and services.**
  - \* **Include unique strategies developed by each service area in the statewide strategic plan with assistance from the Department of Health and Human Services in identifying the needs of each service area.**



## Service Area Networks Status

Neb. Rev. Stat. §43-4203(1)

- \* The Model for Community Ownership of Child Well-Being, developed by the Community Ownership Work Group, approved by the Commission, and implemented in multiple communities, provides structure for network development and serves as a framework for formation of community networks.
- \* Community collaborative involving public and private sector stakeholders in place in every service area (map included in the Model document).
- \* Multiple stakeholders involved in network formation process, including assessment of local needs, as well as resource mapping.

## Service Area Networks Action Plan

Neb. Rev. Stat. §43-4203(1)

- \* Assess the role of the community collaborative network in meeting the intent of the language of LB 821 regarding service area networks.
- \* Assess the effectiveness of the community collaborative strategy in addressing community needs and improving outcomes.
- \* Incorporate strategies adopted in each service area in Commission Strategic Plan.

## DHHS Structure

Neb. Rev. Stat. §43-4201(d) & §43-4204(3)

- \* Review the operations of the department regarding child welfare programs and services and recommend, as a part of the statewide strategic plan, options for attaining the legislative intent. . . , either by the establishment of a new division within the department or the establishment of a new state agency to provide all child welfare programs and services which are the responsibility of the state.

## DHHS Structure Status

Neb. Rev. Stat. §43-4201(d) & §43-4204(3)

- \* Ongoing review of department operations through series of reports/presentations by the department at Commission meetings with opportunity for discussion and input.
- \* Presentations reviewing department functions and outcomes at Commission meetings by Director of the Foster Care Review Office and the Inspector General for Child Welfare.

## DHHS Structure Action Plan

Neb. Rev. Stat. §43-4201(d) & §43-4204(3)

- \* Monitor the work being done under Legislative Resolution 535 (LR 535) which will be reviewing the structure of DHHS.
- \* Review literature/reports/findings on child welfare state agency structure in other states.
- \* Review the Attestation Report – DHHS Child Welfare.
- \* Review findings in Hornby Zeller report (due in December 2014).
- \* Develop a framework for formulating recommendations per responsibilities assigned in LB 821.

## Lead Agency

Neb. Rev. Stat. §43-4204(1)(a)

- \* Consider the potential of contracting with private nonprofit entities as a lead agency in a manner that maximizes the strengths, experience, skills, and continuum of care of the lead agencies in development of a strategic plan for child welfare program and service reform.

## Lead Agency Status

Neb. Rev. Stat. §43-4204(1)(a)

- \* Presentations and reports from Nebraska Families Collaborative at Commission meetings.

## Lead Agency Action Plan

Neb. Rev. Stat. §43-4204(1)(a)

- \* Review literature/reports/findings on use of lead agencies in other states.
- \* Review the findings in the Hornby Zeller report (due in December 2014).
- \* Develop a framework for formulating recommendations related to Lead Agency utilization.



**Evidence-Based Prevention & Early Intervention**  
Neb. Rev. Stat. §43-4204(1)(b)

- \* **Consider strategies to support high-quality evidence-based prevention and early intervention services that reduce risk and enhance protection for children.**

## Evidence-Based Prevention & Early Intervention Status

Neb. Rev. Stat. §43-4204(1)(b)

- \* Model for Community Ownership of Child Well-Being includes provision for evidence-based early intervention services.
- \* OJS Committee has plan for arriving at a shared understanding of use of “evidence-based” criteria in juvenile services.

## Evidence-Based Prevention & Early Intervention Action Plan

Neb. Rev. Stat. §43-4204(1)(b)

- \* Schedule a panel presentation on high-quality evidence-based prevention and early intervention for Commission meeting.
- \* Coordinate Commission efforts with the work being done on the evaluation of evidence-based practices for juvenile justice programs.
- \* Review the Hornby Zeller report due out in December 2014.
- \* Determine how evidence-based work should be handled by the Commission in conjunction with efforts of the Community Ownership of Child Well-being Workgroup.

## Child Welfare Indicators

Neb. Rev. Stat. §43-4204(1)(d)

- \* Identify the type of information needed for a clear and thorough analysis of progress on child welfare indicators.

## Child Welfare Indicators Status

Neb. Rev. Stat. §43-4204(1)(d)

- \* Whole Population measures developed by the Community Ownership of Child Well-being Workgroup and Technology Workgroup, in conjunction with the Prevention Partnership and approved by the Commission.

## Child Welfare Indicators Action Plan

Neb. Rev. Stat. §43-4204(1)(d)

- \* Continue collaborative effort with the Prevention Partnership to develop plan for utilizing whole populations measures to gauge progress toward improving child well-being outcomes in Nebraska.
- \* Utilize Chapin Hall as a resource to identify appropriate data to use for analysis of progress on child welfare indicators.

Statewide Automated Child Welfare Information System  
Neb. Rev. Stat. §43-4206

- \* Develop plan for a statewide automated child welfare information system to integrate child welfare information into one system in collaboration with the department.

Statewide Automated Child Welfare  
Information System Status  
Neb. Rev. Stat. §43-4206

- \* Contract with NDHHS for evaluation of the child welfare system resulted in Child Welfare Information System Strategic Plan report.



Statewide Automated Child Welfare  
Information System Action Plan  
Neb. Rev. Stat. §43-4206

- \* Continue review of options for a statewide automated child welfare information system utilizing the *Child Welfare Information System Strategic Plan Report* and other resources to determine strategies that should be considered for further recommendations.
- \* Utilize Technology Work Group stakeholder group to identify strengths and weaknesses of existing system and proposed solutions.

Nebraska Children's Commission  
Suggested 2015 Meeting Dates  
Time: 9:00am to 3:00pm  
Place: TBD

Thursday, January 22

Wednesday, February 18

Tuesday, March 17

Tuesday, April 21

Tuesday, May 19

Tuesday, June 16

Tuesday, July 21

Tuesday, August 18

Tuesday, September 15

Tuesday, October 20

Tuesday, November 17

Tuesday, December 15

## **Nebraska Children's Commission Workforce Workgroup**

**November, 2014**

The Workforce workgroup of the Nebraska Children's Commission has identified two key areas of focus to recruit and retain child welfare caseworkers in Nebraska: increased salary and compensation and the development of career trajectories. Increasing the professionalism and expectations of front line workers and their supervisors is critical to improving outcomes for children in out-of-home care and in the juvenile justice system. Recommendations are listed in priority order.

### **Salary and Compensation**

Improved salary and compensation should include bringing caseworker salaries in line with national averages and creating salary differentials. Salary differentials should be available for performance and education. Performance incentives include an increased salary differential for achieving key competencies in casework. Caseworkers should also continue to receive salary increases when moving from frontline casework to mentor and supervisor roles.

Educational incentives include a salary differential for attaining higher education and loan forgiveness programs. Tuition reimbursement and loan forgiveness is a sub-topic of compensation that is closely linked to retention and recruitment. Higher loan forgiveness for caseworkers employed in underserved areas assists in rural communities attracting and retaining child welfare professionals.

#### **Recommendations:**

1. Caseworker salaries should be brought in line with regional averages, taking into account variations in caseworker education, experience, and caseload.
2. A Loan forgiveness program for attainment of higher education should be established, with higher loan forgiveness for employment in underserved areas and rural areas.

### **Career Trajectories**

Establishment of career trajectories strengthens retention and professional development. Caseworkers should receive increased salaries for performance and supervisory duties. New job classifications can be based on achievement of key competencies with salary increases at each level. Competencies may include the ability to work with specific populations, maintain high-risk caseloads, attain cultural competency, or speak multiple languages.

#### **Recommendation:**

1. Career steps should be identified with accompanying salary differentials for:
  - a. Achieving specialized competencies (expertise with specific populations; high risk caseloads; cultural competency; multiple language proficiency);
  - b. When moving from frontline casework to mentor to supervisor roles; and
  - c. Education achievement beyond bachelor's degree.

### **Next Steps**

The workgroup will develop further recommendations regarding worker selection and training, work place climate, worker support, supervision, caseload size and other factors that contribute to fostering a consistent, stable and professional workforce whose primary role is to address the safety, permanency and well-being of Nebraska children in out-of-home care. After forwarding its recommendations to the Legislature, the workgroup will remain available as a resource to the Legislature and the Nebraska Children's Commission for child welfare and juvenile justice workforce related issues.