

Nebraska Children’s Commission
Thirty-Ninth Meeting
July 20, 2016
9:00 AM – 12:00 PM
Airport Country Inn & Suites
1301 West Bond Circle, Lincoln, NE 68521

I. Call to Order

The Nebraska Children’s Commission Chair, Beth Baxter, called the meeting to order at 9:03 a.m.

II. Roll Call

Commission Members present (10):

Karen Authier	Gene Klein	Janine Ucchino
Beth Baxter	Deb O’Brien	Paula Wells
Vernon Davis	Mary Jo Pankoke	
Kim Hawekotte	Susan Thomas	

Commission Members absent (4):

Teresa Anderson	Jennifer Chrystal-Clark
Holly Brandt	David Newell

Ex Officio Members present (5):

Sen. Kate Bolz (9:10)	Sen. Sara Howard	Doug Weinberg
Jeanne Brandner	Julie Rogers	

Ex Officio Members absent (5):

Dr. Matthew Blomstedt	Sen. Patty Pansing-Brooks	Judge Linda Porter
Steve Milliken	Courtney Phillips	

A quorum was established.

Guests in Attendance (11):

Doug Beran.....	DHHS, Division of Children and Family Services
Bethany Connor Allen.....	Nebraska Children’s Commission
Mike Fargen.....	Foster Care Review Office
Amanda Felton.....	Nebraska Children’s Commission
Peg Harriott.....	Child Saving Institute
Sarah Helvey.....	Nebraska Appleseed
Josh Henningsen.....	Nebraska Legislative Council
Timoree Klingler.....	Nebraska Legislative Council
Joselyn Luedtke.....	Nebraska Legislative Council
Kari Rumbaugh.....	Administrative Office of Probation
Chris Triebisch.....	Nebraska Legislative Council

a. Notice of Publication

Recorder for the meeting, Amanda Felton, indicated that the notice of publication for this meeting was posted on the Nebraska Public Meetings Calendar and Nebraska Children’s Commission website on June 7, 2016 in accordance with the Nebraska Open Meetings Act. The publication will be kept as a permanent attachment with the meeting minutes.

b. *Announcement of the placement of Open Meetings Act information*

A copy of the Open Meetings Act was available for public inspection and was located on the table in the northwest corner of the meeting room.

III. Approval of Agenda

It was moved by Paula Wells and seconded by Deb O'Brien to approve the agenda as presented. There was no further discussion. Roll Call vote as follows:

FOR (10):

Karen Authier
Beth Baxter
Vernon Davis
Kim Hawekotte

Gene Klein
Deb O'Brien
Mary Jo Pankoke
Susan Thomas

Janine Uchino
Paula Wells

AGAINST (0):

ABSENT (4):

Teresa Anderson
Holly Brandt

Jennifer Chrystal-Clark
David Newell

ABSTAINED (0)

MOTION CARRIED

IV. Chairperson's Report

Chair Baxter welcomed everyone and introduced the new members: Jeanne Brandner as an appointee of the State Court Administrator, Vernon Davis representing a former foster youth, Susan Thomas serving as a CASA Volunteer representative, and Janine Uchino who served in the Guardian Ad Litem position on the Commission.

V. Review of Strategic Planning

The Chair provided the members with a brief review of the work from the previous day at the second annual Nebraska Children's Commission Retreat. She explained that the focus of the day had been reviewing the strategic plan from 2012. In reviewing the progress since that time the Commission members had identified four priority areas of focus. They included Workforce issues, Technology and Data Sharing, System of Care, and Prevention Efforts. In addition to the four priorities, the retreat had brought light to the need for the Structure Taskforce to be reinstated.

VI. Legislative Bills and Resolution Update

Continuing on, the floor was opened up to the Senators and representatives to discuss Legislative Bills and Resolutions that were relevant to the work of the Commission.

Senator Kate Bolz began by discussing Legislative Resolutions (LR)514 centering on the work of the Juvenile Justice Extension Taskforce of the Bridge to Independence Advisory Committee. She noted that a hearing on the issue would be scheduled for October. She also noted the work being done with Matthew Blomstedt, Commissioner of the Department of Education, to address issues surrounding behavioral health and trauma informed care information for educational support staff. Another item of importance shared by Senator Bolz included the likelihood of entering the next legislative session with a deficit. She advised the Commission to ensure their work and recommendations to the legislature would support the programs most necessary to the systems.

Senator Sara Howard shared information on three Legislative Resolutions. Included was LR513, focusing on workforce management, which looked at how each division working with children were managing caseload size. Another was LR529 which monitored the implementation of the Strengthening Families Act. Lastly she mentioned LR523 that looked at the age of majority in Nebraska when youth are often in a period of limbo between ages of 18 -19.

Providing an update from the office of Senator Patty Pansing Brooks was Chris Triebsch, Legal Aide to the Senator. He referenced LR576 that looked at youth access to legal counsel. He touched on LB894 that established a right to counsel for the three major counties the previous session, and discussed the current efforts under the LR to expand the right to counsel statewide. Work was in progress to gather data and collaborate with the Courts and Legal System Workforce of the Juvenile Services Committee. Another relevant study was LR567 examining issues at White Clay. It had recently been discovered that there may be human trafficking occurring, which could become an important issue for the Commission to address.

Joselyn Luedtke shared the work of Senator Kathy Campbell which comprised of LR545 looking at Children's Health Insurance Program (CHIP) eligibility and enrollment as well as LR514 which was previously discussed by Senator Bolz. Josh Henningsen, who served as Legal Counsel of the Judicial Committee of the Legislature, also mentioned LR561 that studied the effectiveness and long-term viability of the Youth Rehabilitative Treatment Centers (YRTCs).

VII. Department of Health and Human Services Update

The update from the Department of Health and Human Services (DHHS) was given by the Director of the Division of Children and Family Services (CFS), Doug Weinberg. Mr. Weinberg opened with a summary of the CFS activities. He discussed the progress of Alternative Response, noting that a large number of children and families had already been served through the program in 34 counties. Expansion would begin in the next month to an additional 22 counties which would provide an increase in data to identify trends.

Other areas of attention within CFS were the Collaborative Response Initiative, Family Focused Case Management, a partnership with the Department of Labor on a voluntary employment and training program pilot in Grand Island, and work with the Casey Organization on two initiatives. One of the aforementioned initiatives included reevaluating the use of the Structured Decision Making tool. The other initiative would focus on assisting DHHS in assessing the current array of services and identifying the gaps that exist.

Mr. Weinberg covered a handful of other topics that were relevant to the Commission including the positive shift in mentality and culture at the Kearney YRTC, the addition of criteria to NFOCUS to capture data trends on the increase in parental substance abuse, and the upcoming enrollment efforts for the three new Heritage Health entities. Concern was raised regarding the draft regulations regarding Residential Child-Caring Agency Licensing and Child Placing Agency Licensing and making sure the CFS was included in the review process. Mr. Weinberg indicated that he planned to be involved in the process.

a. Update on Round 3 Children and Family Services Review (CFSR)

Doug Beran, Research, Planning and Evaluation Administrator with DHHS-CFS, explained that the Data, Technology, Accountability, and Reporting (DTAR) Workgroup of the Commission had requested for quarterly reports be presented to the Commission members on the CFSR progress. He detailed that the CFSR covered a spectrum of measures ranging from the efforts made to prevent youth from entering the system to the recurrence of maltreatment while youth are in foster care.

The group was directed to the CFSR handout as Mr. Beran walked them through each slide. The request was made to see the ratio data from 2014 when the shift of juvenile justice youth from DHHS, Office of Juvenile Services to Probation occurred. Mr. Beran indicated that he could provide that information in the next report.

Mr. Beran informed the Commission that the data provided was on a delayed timeline and would hopefully show improvement from the current efforts as time progressed. He reminded the members of the previous request to look at pending maltreatment court cases that showed a substantiated event,

but due to delays, were not resolved within 12 months. He noted that efforts were now being made to track these cases and factor them into the Maltreatment in Care category.

Another point of discussion was the difficulty in establishing permanency for youth in out of home care within 12 months. Barriers that were identified the difficulty in returning the youth home once removed and delayed court hearings. These issues were being addressed by providing reminders to caseworkers once a youth has been out of home at 9 months and increasing efforts to provide services in home.

The conversation surrounding placement stability brought to focus the issue of kinship homes. The Foster Care Review Office was interested to see if there was a correlation between increased kinship placement and placement stability. The group also debated the need for a clear definition of what a kinship placement is and how to ensure that it is adhered to.

VIII. Legal Parties Taskforce Update

Chair Baxter invited Kim Hawekotte, Chair of the Legal Parties Taskforce and Director of the Foster Care Review Office, to provide an update. Ms. Hawekotte offered a brief background of the Legal Parties Taskforce. She went on to share information on the current work of the group in gathering survey information from attorneys and legal professionals throughout the state. The survey asked a variety of questions over Neb. Rev. Stat. §43-427 to look at how cases entered juvenile court.

Areas that showed need for attention were Fault and No Fault Petitions, the Court's authority to order parental compliance in case plans, confusion on the appropriateness of filing a youth as mentally ill and dangerous, service availability barriers, and access to judicial time. After conversing over the survey results, Ms. Hawekotte shared the next steps of the Taskforce. Continuing to gather feedback from stakeholders, creating recommendations on statutory updates, and performing a survey for judges were some of the planned tasks.

The members expanded on whether the statute itself needed to be updated or if it was an issue that could be solved with education. Ms. Hawekotte stated that it would most likely require both. Work would need to be done by the Taskforce to gain historical perspective as to where filing decisions originated and to identify the areas of the state utilizing (3)(c) filings. Most importantly, Ms. Hawekotte expressed the need to establish the difference between filing a Fault or No-Fault petition and the consequences for each.

IX. Juvenile Services Committee Update

Ms. Hawekotte, Co-Chair of the Juvenile Services committee, was invited to continue with the update for the group. She indicated that the Committee had met the previous month to review their 2013 strategic plan and were working to update their recommendations to better reflect their charges. From the strategic planning session four workgroups were formed: Courts and Legal System Workgroup, Evaluation of Programs and Assessment of Youth Workgroup, Services Coordination Workgroup, and an YRCT and Out-of-Home Placement Workgroup. Their September meeting would reconvene all four Workgroups to provide recommendations for the annual report.

X. Normalcy Task Force Update

The Co-Chairs of the Normalcy Task Force were invited to provide an update on the work of their group. Sarah Helvey, Child Welfare Program Director and Staff Attorney with Nebraska Appleseed, thanked Karen Authier for filling in as interim Co-Chair for the Task Force. Ms. Helvey went on to explain the five Subcommittees of the Task Force: Community and Family Voice Subcommittee, Grievance Subcommittee, Normalcy Subcommittee, Trafficking Subcommittee, and Training Subcommittee. Ms. Authier remarked on the impressive work and engagement from the members of the Task Force. Each Subcommittee would propose recommendations to the Task Force on September 1st, which would be forwarded on to the Commission for initial review.

XI. New Business

Chair Baxter took an opportunity to welcome Deb VanDyke-Ries who had recently been appointed as Director of the Court Improvement Project.

XII. Upcoming Meeting Planning

Meeting Dates for the remainder of the year included:

- September 20, 2016
- November 15, 2016

Agenda items noted for the September meeting were reports from the Legal Parties Taskforce, OJS Committee, Normalcy Task Force, and the Psychotropic Medication Committee. A strategic plan would also be presented for review at that meeting. It was requested that more information be provided on the work DHHS was doing with the Casey Organizations as well.

XIII. Adjournment

It was moved by Gene Klein and seconded by Paula Wells to adjourn the meeting. The meeting adjourned at 11:30 a.m.

08/02/2016

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