

**Judiciary Committee  
Testimony on LB180  
Presented by**

**Name**

**Title**

**Date**

Dear Chairperson Ebke and members of the Judiciary Committee,

LB180 allows a juvenile court to terminate its jurisdiction of a youth under (3)(a) of section 43-247 by placing custody with a safe, non-custodial parent and transferring jurisdiction to district court. The Legal Parties Taskforce of the Nebraska Children's Commission, which I will refer to as "the Taskforce" was involved in the creation of this bill. The Taskforce undertook significant research and gathering of feedback to ensure that this bill can decrease the length of child welfare cases, increase permanency for children, and reduce juvenile court docket congestion. On behalf of the Taskforce and Commission, I am testifying in support of this bill.

The Taskforce was created by the Nebraska Children's Commission to support the practice of law through the professionalization of juvenile practice and clarification and enhancement of legal party roles. The group has actively engaged in research, discussion, and collecting feedback to solve the problems posed by conflicting jurisdiction between district and juvenile courts. The testifier before me has described the problem, so my testimony will focus on the group's process and the technical aspects of the bill.

The group reviewed a number of potential solutions, including implementation of a unified family court system, and bridge order statutes from other states. The bill that is before you is based on a similar Iowa statute, which the Taskforce believes addresses many of the problems posed by conflicting jurisdictions and increases permanency for children, without increasing costs or court time. The Legal Parties Taskforce membership includes: representation of the juvenile court bench, Office of the Inspector General of Child Welfare, the Foster Care Review Office, DHHS legal department, Nebraska Families Collaborative legal department, an advocacy group, county attorneys, and attorneys who practice regularly in juvenile courts across the state. The Taskforce additionally solicited input on this bill from attorneys practicing in juvenile court, guardians ad litem, attorneys practicing in the district court, and judges. Feedback consistently showed that this bill resolves the conflicting jurisdiction of juvenile and district courts while increasing efficiency and benefiting children and families.

This bill would only apply in situations to child welfare cases in the juvenile court where a child has been removed from the care of their custodial parent, but has been safely placed with a non-custodial parent who is legally recognized as the child's parent. When this criteria is met the parent may file a motion for a bridge order. To expedite the process

and reduce the number of hearing and motions necessary, this bill does not require the legal parent to intervene before filing a motion for a bridge order. The hearing on the motion for a bridge order is set for an evidentiary hearing no less than thirty days and no more than ninety days from the filing of the motion. This allows the parties to prepare for the hearing without unnecessarily extending the amount of time the juvenile case is active.

The bridge order only addresses legal and physical custody and visitation of the child, and does not require the juvenile court to make determinations on other matters not related to the safety of the child, such as child support. Bridge orders will be docketed by the district court in either an already existing docket related to the custody and paternity of the child, or a new docket if necessary. The result of this process is the child is in the custody of a safe parent and the juvenile docket is closed, resulting in increased judicial efficiency, decreased caseloads for attorneys who are appointed by the court, and decreased trauma for children who have been removed from their homes.

This bill also addresses the Nebraska Parenting Act, which requires parents in a court case involving child custody to participate in mediation, create a parenting plan, and take a parenting class. LB180 would allow for the entry of a bridge order without requiring parents to comply with the Parenting Act. This will save the court and family time and money, while ensuring that the child is in the custody of a safe parent. The Parenting Act would apply to any subsequent modification of the bridge order. An additional provision of LB180 clarifies that appointed counsel is not required in the district court action.

In conclusion, we support LB180 as a cost effective way to increase permanency for children, keep families together, and increase judicial efficiency. Thank you, Senator Bolz for your leadership on this issue, and members of the judiciary committee for your time and consideration. I am happy to answer any questions you may have.