

Nebraska JJ System Map Narrative

System Point	Statute Authority	System Point Clarifications	Data Resources
1 - Law Enforcement	43-248; 43-249; 43-250	In Nebraska youth are not technically arrested, rather taken into temporary custody by law enforcement.	Nebraska Crime Commission Arrest and Offense Data Nebraska Crime Commission
2 - Probation Screening	43-250; 43-253; 43-260; 43-260.01	The purpose of this screening is focused on the risk of a youth to flee the jurisdiction and/or commit another offense prior to their court appearance.	Administrative Office of the Courts and Probation Juvenile Services Division Nebraska Judicial Branch (Detailed Analyses)
3 - Detention	43-250; 43-251.01; 43-253; 43-254; 43-255; 43-260.01	Youth 12 and under may not be placed in a secure juvenile detention center. Nebraska statute mirrors many elements of the federal Juvenile Justice and Delinquency Prevention Act, however, statute is no longer compatible with some elements of the 2018 reauthorization of the Act.	*Statute does not require juvenile detention centers to report data to the NE Crime Commission/Jail Standards. Detention data by year can be found in the Kids Count Reports from Voices for Children of Nebraska. Kids Count – Voices for Children Nebraska Office of Inspector General (OIG) obtains data from detention centers on the use of room confinement and produces an annual report. Juvenile Room Confinement Reports – Office of Inspector General of Nebraska Child Welfare
4 - County Attorney Review	43-245; 43-247	Juvenile court jurisdiction begins at the age of 11 and extends to 19. Youth under 11 may be referred to the Department of Health and Human Services for child welfare services.	Data on review decisions is not kept at the state level.
5- Diversion	43-260.02 through 43-260.07; 81-1427	Statute gives county attorney’s discretion to create a diversion program. Not all counties in NE have a diversion program.	Nebraska Crime Commission Juvenile Justice Resources Nebraska Crime Commission
6- Filing Decision	43-261; 43-261.01; 43-276		Administrative Office of the Courts and Probation: Juvenile Justice System Statistical Annual Reports Publications Nebraska Judicial Branch
7- Preliminary Hearing	43-271; 43-248.01; 43-272 Neb. Rev. Stat. 29-1816	Individual County Attorneys determine whether or not to charge a youth and in which system (adult or juvenile) based upon fifteen factors outlined in statute	No state level data on detention hearings/preliminary hearings/first appearances is maintained. Youth access to counsel data is provided in the Administrative Office of the Courts and Probation: Juvenile Justice System Statistical Annual Reports

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8- Adjudication	43-278; 43-279	The court process for determining if the juvenile committed the act they were charged with.	Juvenile Justice Annual Statistical Report - Combined (nebraska.gov)
9 - Disposition	43-251.01; 43-281; 43-286; 29-2260(1)	The NE Supreme Court Rule for juvenile justice case progression standards is 6-104. These standards set time frames for hearings for judges between first appearance, adjudication and disposition. The NE Court Improvement Project collects data on how courts are meeting these standards.	https://supremecourt.nebraska.gov/programs-services/court-improvement-project/court-improvement-project-data-dashboard
10- Probation	43-286; 43-286.01; 43-297.01	A youth cannot be placed out of home or committed to the YRTC prior to exhausted efforts at community-based interventions.	Administrative Office of the Courts and Probation Juvenile Justice System Statistical Annual Reports Publications Nebraska Judicial Branch
11- YRTC	43-407; 43-408; 43-417; 43-425; 43-286	Youth under the age of 14 cannot be placed at a YRTC.	Minimal public data is reported by DHHS/OJS/YTRC Youth Rehabilitation (ne.gov) Voices for Children- Kids County provides YRTC data. Kids Count – Voices for Children Nebraska Foster Care Review Office also provides reports on youth in out of home care for DHHS (including YRTC) and Probation Foster Care Review Office (nebraska.gov)
12 – Adult Court	29-2260 43-276(1)	In Nebraska, the prosecutor has discretion in determining whether to charge a youth in adult court.	Administrative Office of the Courts and Probation Juvenile Justice System Statistical Annual Reports Publications Nebraska Judicial Branch