

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 Publications Page 4 Nebraska Judicial Branch |

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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 |