

September 15, 2021

Patrick O'Donnell, Clerk of the Legislature
State Capitol, Room 2018
P.O. Box 94604
Lincoln, NE 68509



Dear Mr. O'Donnell:

Pursuant to Neb. Rev. Stat. 43-4407, enclosed please find the annual report prepared by the Nebraska Alliance of Child Advocacy Centers, comprised of the information provided by each of the seven Child Advocacy Centers.

Sincerely-



Ivy Svoboda
Executive Director
Nebraska Alliance of Child Advocacy Centers

2020-21 ANNUAL NON-COURT CHILD WELFARE REPORT

*Pursuant to Neb. Rev. Stat. § 43-4407
September 15, 2021*



Prepared on behalf of Nebraska's Seven Child Advocacy Centers by:



CONTENTS

Executive Summary	Page 2
Nebraska's Child Advocacy Center Service Regions	Page 3
What is a Non-Court Child Welfare Case?	Page 4
What is a Child Advocacy Center?	Page 4
Key Roles in the Non-Court Case	Page 5
Incorporating Family Voice	Page 6
Data Limitations	Page 6
Data: Cases Opened	Page 7
Data: Cases Closed	Page 8
Data: Average Length of Cases	Page 8
Data: Case Plans	Page 9
Data: Family Compliance with Case Plans	Page 10

2020-21 Non-Court Case Data Highlights

- **935 new non-court cases were opened.** This is a **10% decrease** from the previous year.
- **845 non-court cases were closed.** This is a **5% decrease** from the previous year.
- On average, cases lasted **123 days, about 4 months.** This was a **decrease in length by 12 days** from the prior year.
- **Significant regional differences** in the number of cases and the length of cases continue.
- **Data collection challenges** limit the ability to report on presence of case plans and family compliance with cases.

Executive Summary

Pursuant to Neb. Rev. Stat. §43-4407, Nebraska's seven child advocacy centers (CACs) are charged with reporting annually to the Legislature by September 15 on voluntary or non-court child welfare cases managed by the Department of Health and Human Services (DHHS) or its lead agency (Saint Francis Ministries) in the counties they serve.

The report that follows is the eighth annual report filed on non-court cases with the Legislature by the Nebraska Alliance of Child Advocacy Centers (Nebraska Alliance), on behalf of its members – Nebraska's seven CACs. A map of Nebraska's CAC service regions can be found on page three of this report.

The report contains information on Nebraska's non-court child welfare cases between July 1, 2020 and June 30, 2021 based on information and data provided to CACs by DHHS and Saint Francis Ministries, as well as information gathered through multidisciplinary team reviews of non-court cases.

Recommendation: Update Laws on Non-Court Case Reporting

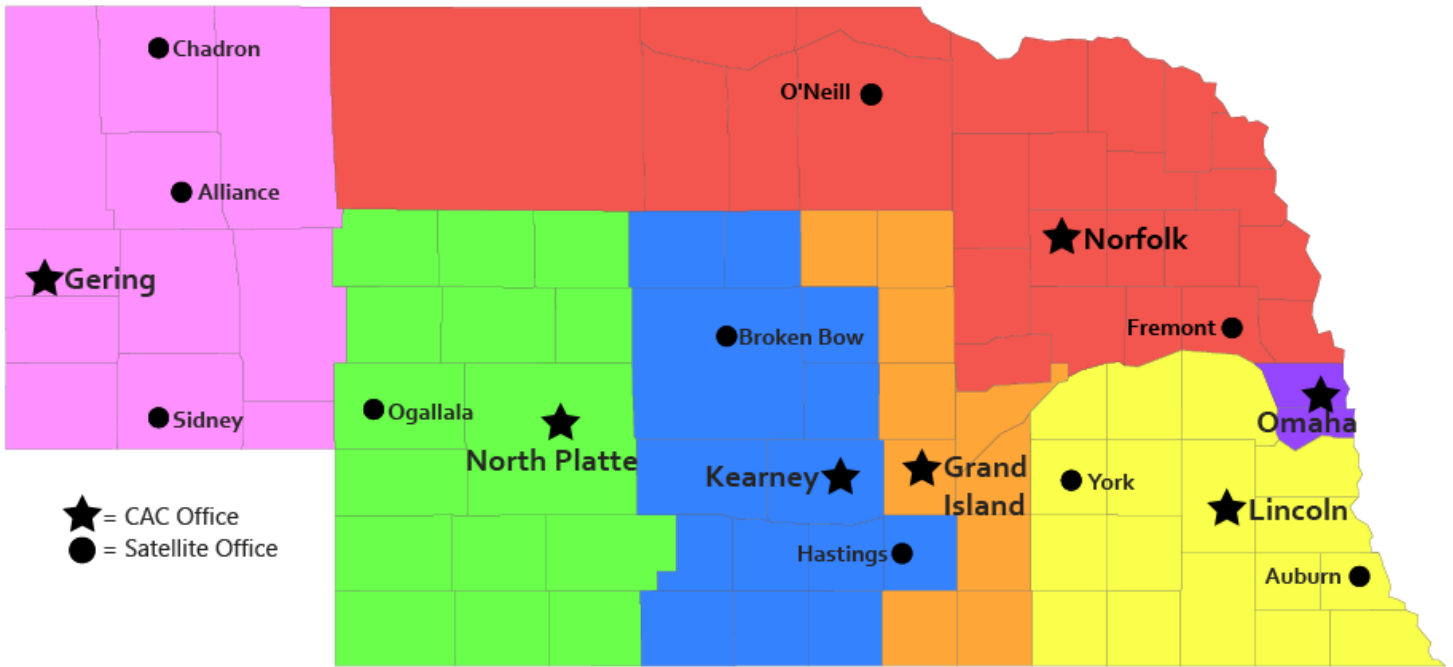
2022 marks ten years since the Legislature initially provided a framework to DHHS and the CACs on reporting on non-court cases.

Although some parts of the process continue to work well, others need to be updated to ensure that this process continues to be a valuable use of time and resources.

The Nebraska Alliance recommends the Legislature:

- Continue to require monthly reports to CACs and local multidisciplinary teams (MDTs) on non-court cases in their area. These reports allow for collaboration across systems, especially between the county attorneys and DHHS.
- Revise the requirement that CACs report directly to the Legislature on data provided to them. The Legislature does not fund data systems or specialists for CACs, and reporting and data entry take away from time serving clients and coordinating teams.
- Replace reporting on case plan presence and family compliance that has a plan with more relevant and objective criteria, such as current decisions on safety and risk levels of future maltreatment.

Nebraska's CAC Service Regions



Gering
(308) 632-7274



North Platte
(308) 534-4064



Kearney
(308) 865-7492



Grand Island
(308) 385-5238



Lincoln
(402) 476-3200



Omaha
(402) 595-1326



Norfolk
(402) 644-7402

What is a Non-Court Child Welfare Case?

Non-court or voluntary cases are cases where ongoing child welfare services and assessment are provided to families without the involvement of the juvenile court. According to DHHS policy, non-court cases are opened at the conclusion of an investigation or initial assessment of a report of child abuse or neglect when:

- The family scores as high or very high risk and/or a safety threat has been identified;
- The family voluntarily agrees to work with DHHS or its contractor; and,
- The local county attorney has not filed a petition in juvenile court.

Per policy, non-court cases close when:

- Children are safe and the family's risk has been reduced to low or moderate;
- Children are safe, the family no longer wants services, and DHHS does not believe court intervention is necessary; or
- When a family cannot be located, despite reasonable efforts.

DHHS policy on non-court cases is laid out in the Department of Health and Human Services Standard Work Instruction titled "Ongoing Case Management" under Chapter 5.7.



What is a Child Advocacy Center?

Child advocacy centers (CACs) provide a cadre of services to assist with high quality, trauma-informed investigations of child abuse and neglect. Services provided include forensic interviews, medical evaluations, advocacy and mental health. Nebraska's CACs are all nationally accredited through the National Children's Alliance.

CACs are also mandated by Nebraska law to assist county attorneys in the coordination of local multidisciplinary teams (MDTs) focusing on investigation and treatment of child abuse. MDTs are convened by local county attorneys and made up of different professionals, service providers, and local experts working on child welfare. Per Neb. Rev. Stat. § 28-728, each of Nebraska's 93 counties is assigned to a local CAC for MDT coordination, as shown on page 3.

Role of CACs and Multidisciplinary Teams in Non-Court Cases

In 2012, the Legislature took action to require local MDTs focused on child abuse and neglect treatment to develop protocols for addressing non-court cases. Protocols are to address teams, staff cases, coordinate and monitor safety plans and treatment offered to children and families.

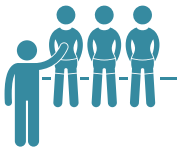
Teams across the state vary in the approach they have taken to protocols on non-court cases. Some areas have dedicated non-court teams. Some MDTs review every non-court case, and others are more selective due to the high volume of non-court cases in their area.

The law also requires DHHS to provide CACs with monthly reports on non-court cases in their jurisdiction. This information is used by CACs to help set agendas for team staffing. CACs are required to report to the Legislature.

Key Players in the Non-Court Case



The **Family's** voice is key to success. Non-court is voluntary and families can decline services. A family engaging in non-court services can mitigate a safety threat or reduce the risk of future child maltreatment.



The **Child and Family Services Specialist** is the family's case manager with DHHS or Saint Francis Ministries. Their job is to engage the family and connect them with wraparound services to address any safety threat and strengthen the family.



The **Child Advocacy Center Coordinator** is responsible for the overall functioning of the MDT. The coordinator tracks information on non-court cases, helps set review agendas, and facilitates the sharing of information and recommendations.



The **Service providers** and **Informal Supports** help meet the family's needs and provide services to reduce risk and address safety. They may be paid professionals or community members and those in the family's network. Often, professional service providers will participate in MDT meetings.



The **County Attorney** makes the final decision on whether or not charges will be filed to involve a family with juvenile court. Many factors impact this decision, including the evidence that a safety concern exists and the success of services provided so far. The County Attorney convenes local MDTs and uses information from the MDT to inform their decisions.

Incorporating Family Voice

Over the past decade, child welfare experts have increasingly understood that the success of our work in protecting children depends on how effective we are at engaging their families. Family engagement increases when effective relationships are built and the family is able to provide input and have their lived experience and expertise honored.

Nebraska's current law on non-court reporting requires DHHS and MDTs to report on the level of "family compliance" with agency plans. However, as best practices and system philosophy has shifted, DHHS and MDTs are trying to move away from this framework to one of partnership with families.

Family Voice In Practice

Sharing power is a deliberate approach to engagement with families seeking to combine the knowledge and training of the provider with the lived experience of the family receiving services.

Project Harmony began partnering with DHHS, Saint Francis Ministries, and other key stakeholders to plan for the incorporation of family voice at MDT meetings. They currently have a goal of piloting this initiative with a non-court team and having ongoing assessment of progress and barriers.

Data Limitations

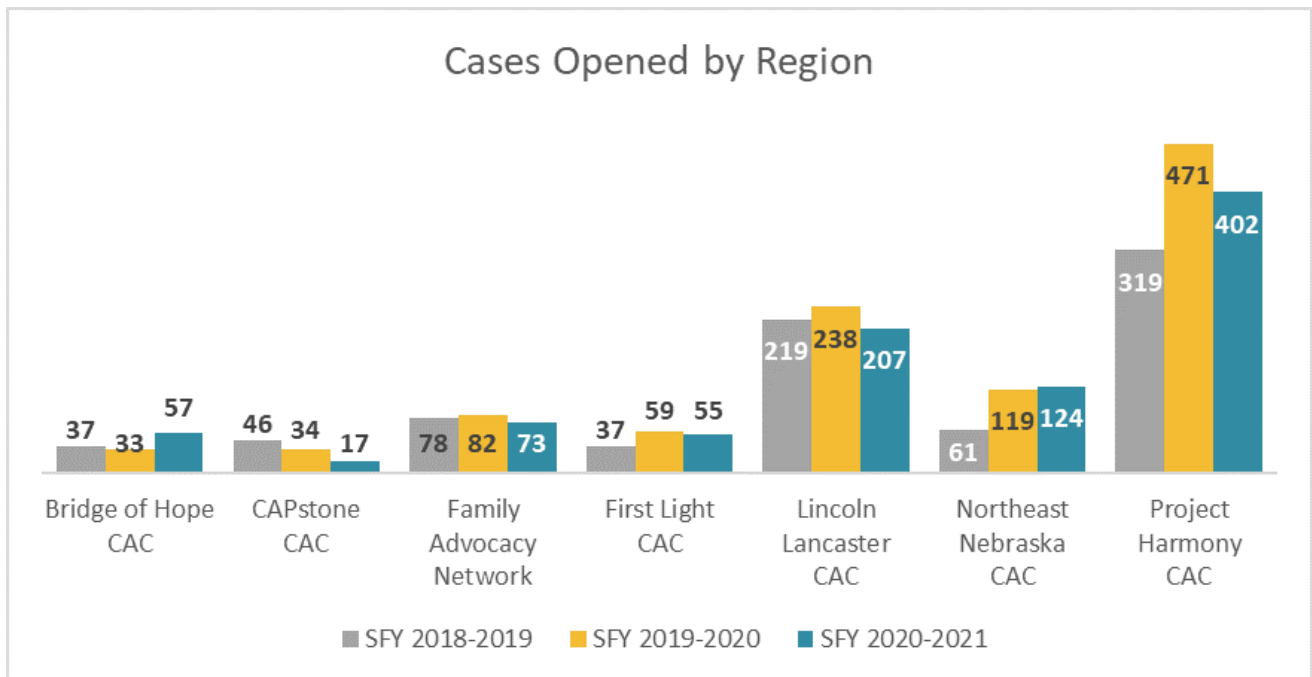
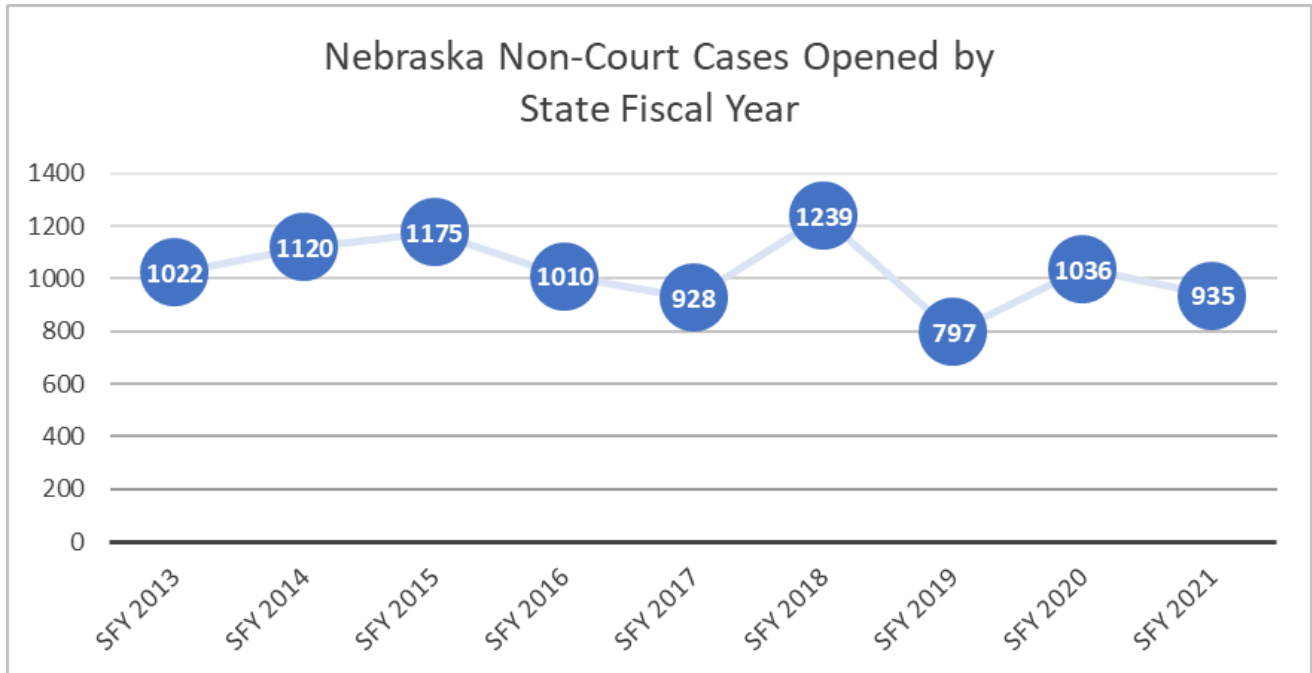
This report is compiled based on point in time reports given to the CACs by DHHS and Saint Francis Ministries, which CACs then must re-enter into a separate data system.

This reporting structure is time intensive and also results in data limitations:

- CACs often receive incomplete reports – missing data prevents presenting a full statewide picture.
- CACs have established their own processes for tracking data, which are not universal across the state. This has led to inconsistencies in reporting, especially on case plans and family compliance.
- Reporting measures established do not tell a full story about practice on non-court cases. For example, reports on case plan presence do not answer whether DHHS complied with its 60 day requirement.

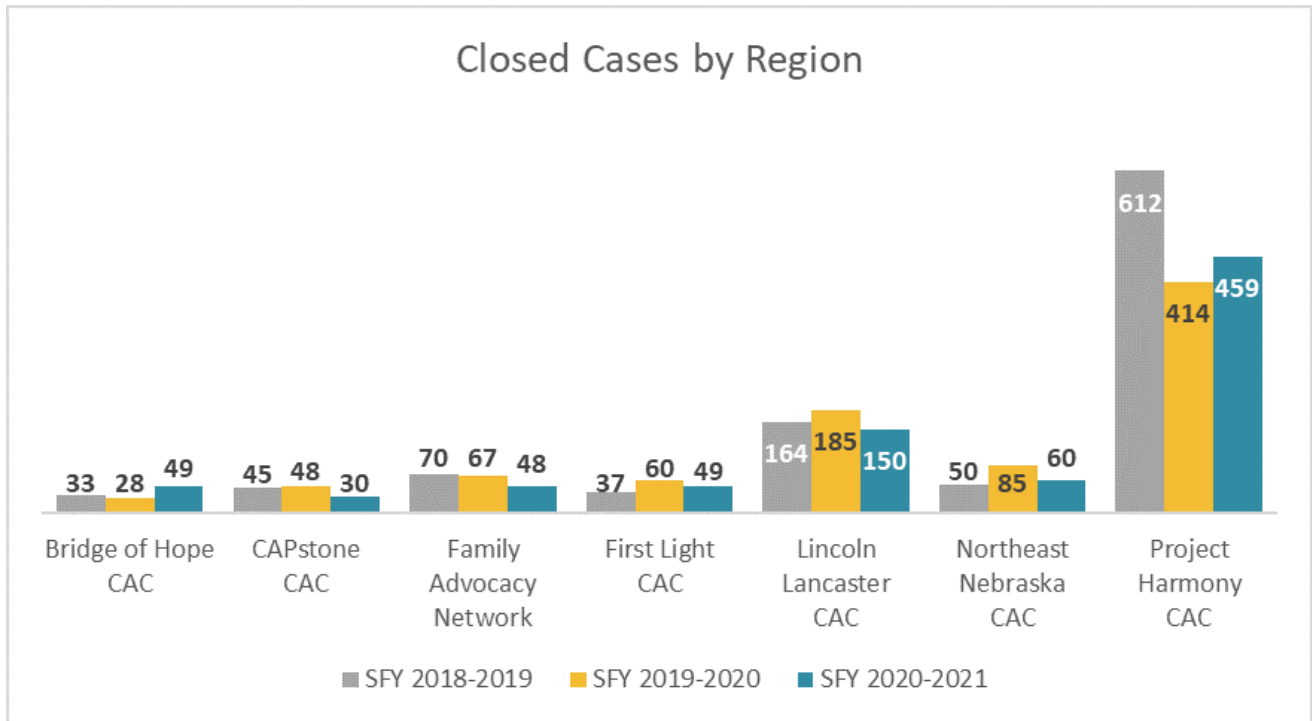
Opened Cases

935 non-court cases opened in Nebraska between July 1, 2020 and June 30, 2021, a 10% decrease from last year.



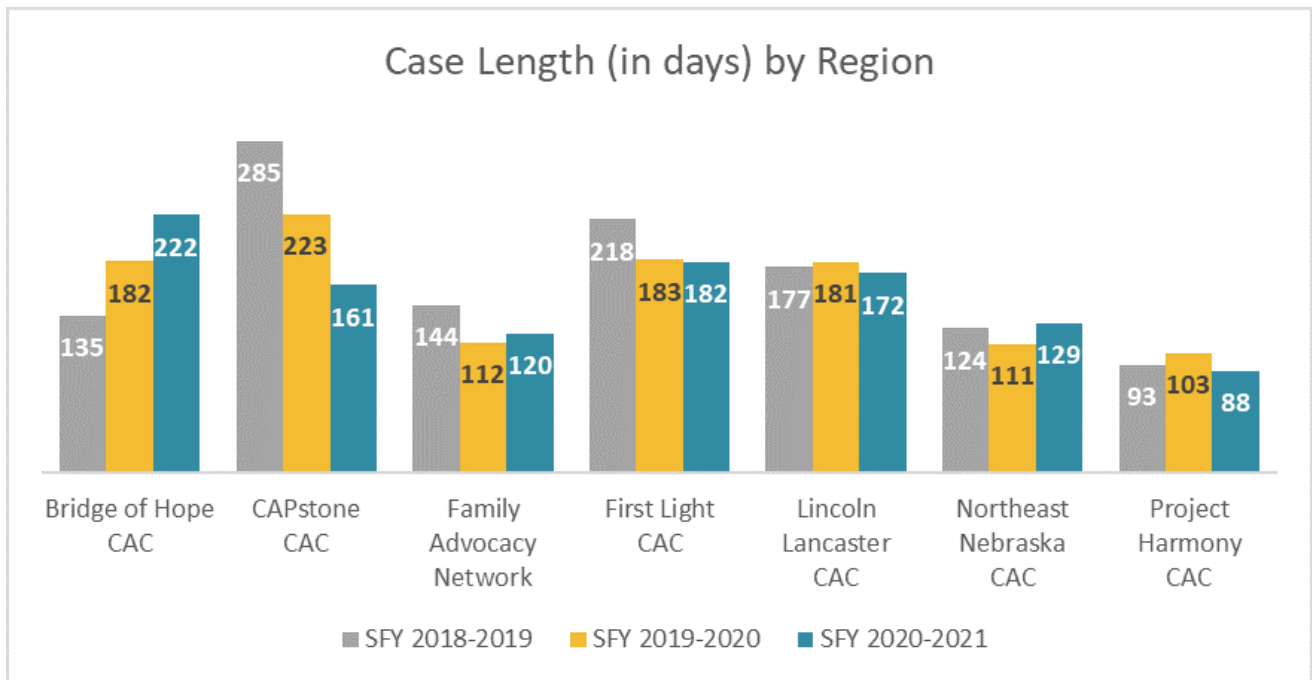
Cases Closed

845 non-court cases closed between July 1, 2020 and June 30, 2021, a 5% decrease from the previous year.



Average Length of Closed Cases

The average time a non-court case was open was 123 days, a decrease of 12 days from the past fiscal year. There was a large degree of regional variation in average case length.

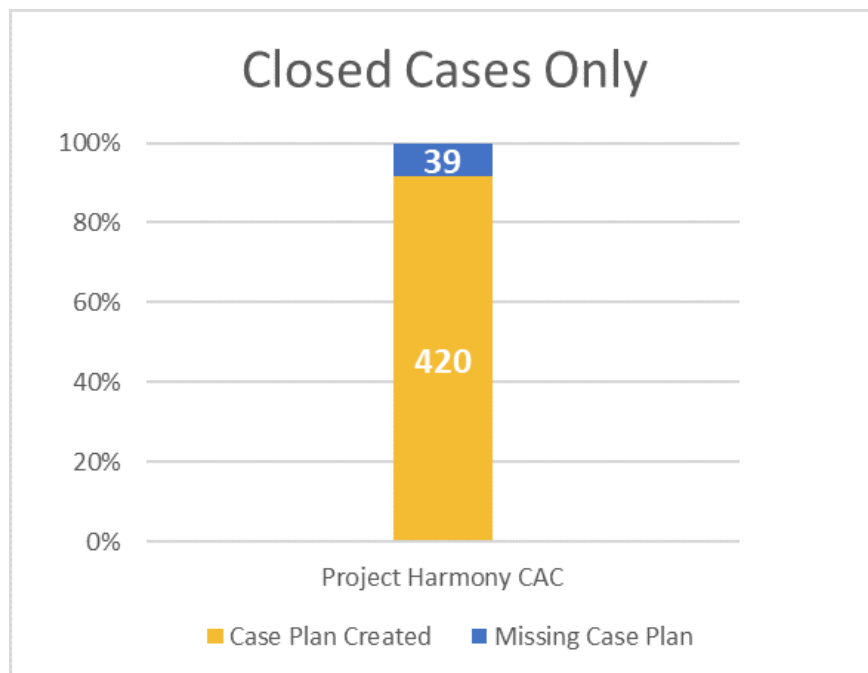
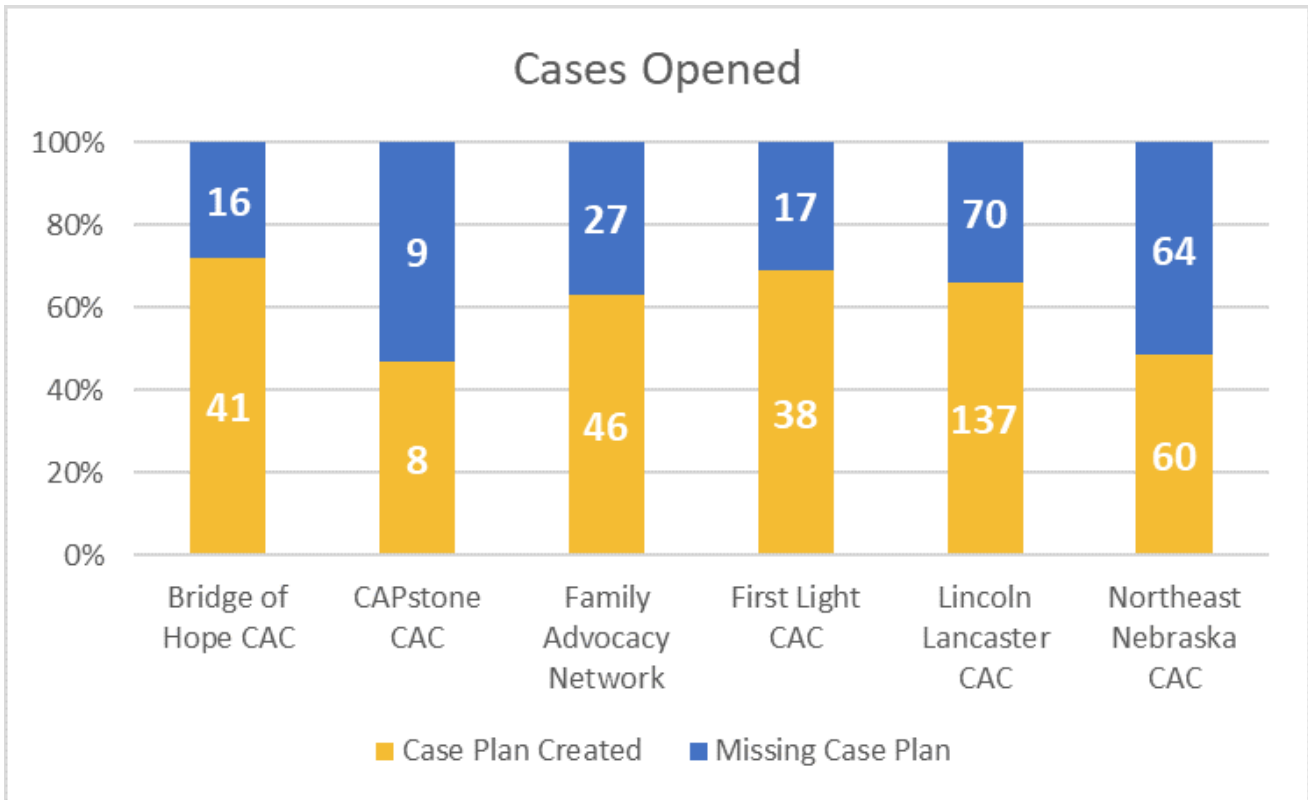


Case Plans

Neb. Rev. Stat §68-1207 and DHHS policy requires every non-court case to have a case plan created no later than 60 days after the case opens and updated every 6 months.

82% of cases opened in 2020-21 had a case plan in place outside of Project Harmony's service region.

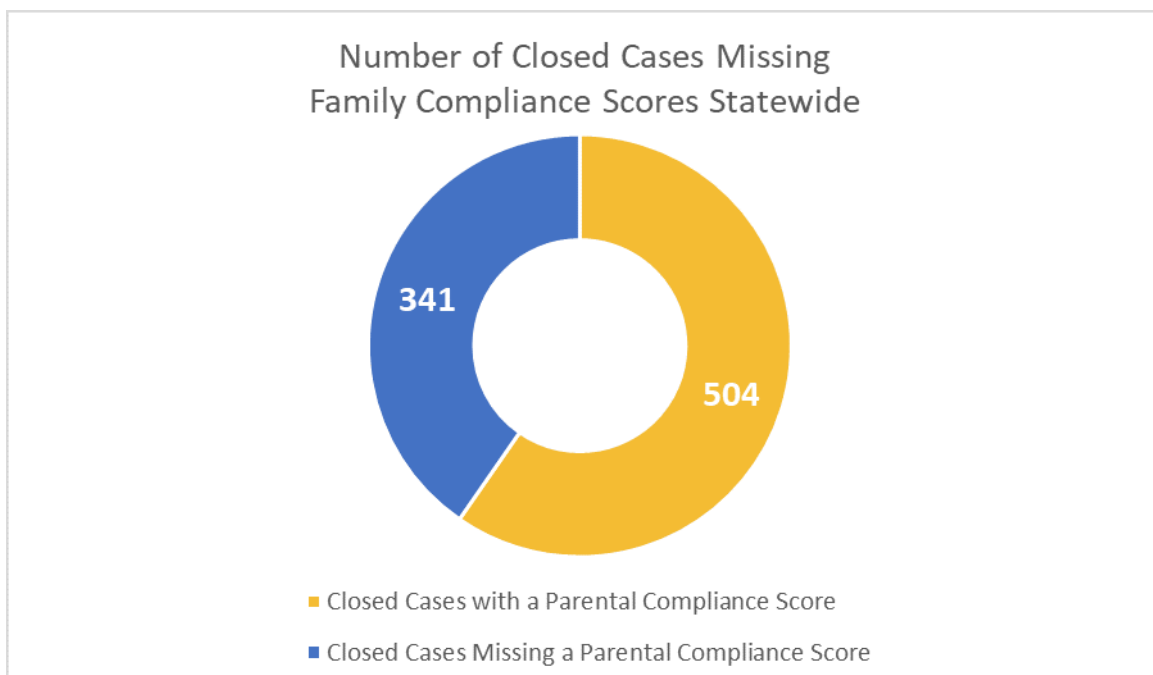
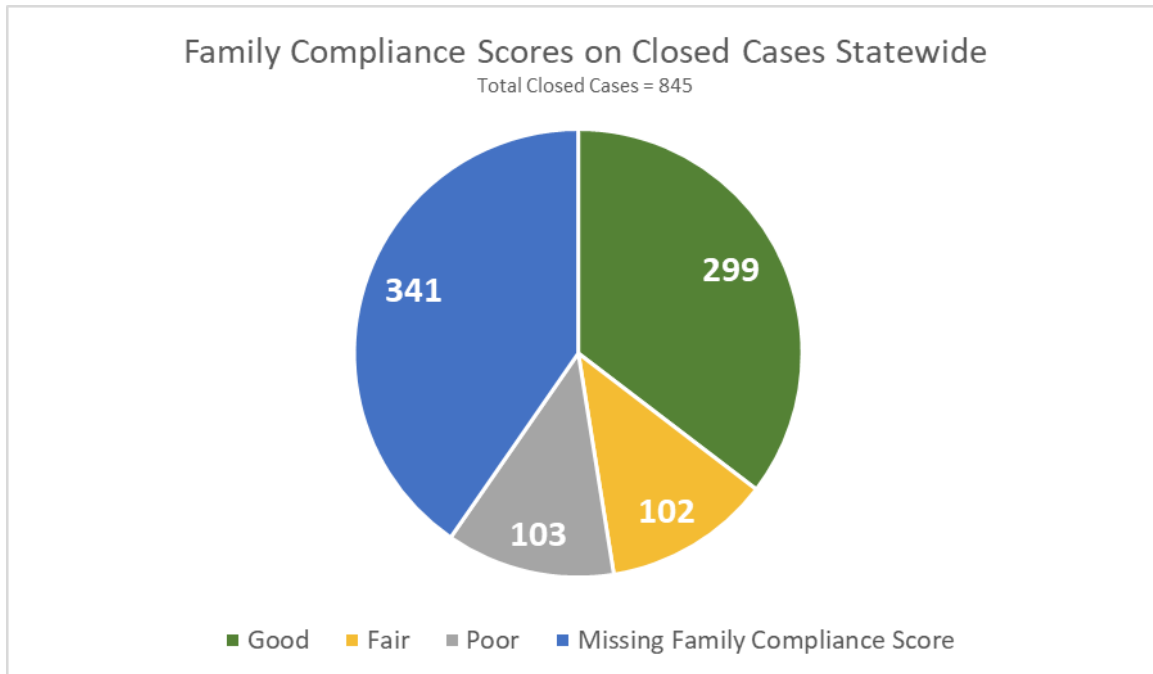
92% of cases closed in Project Harmony's service region had a case plan in place.



Family Compliance with Case Plans

Reports by DHHS and Saint Francis Ministries are supposed to include the status of family compliance with case plans. Much of this information is missing from reports and local MDTs have also noted the data is subjective – they often disagree with DHHS's assessment.

40% of cases closed this year were missing family compliance scores.





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