

Nebraska Alliance of Child Advocacy Centers
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State Capitol, Room 2018
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September 15, 2022

2021-2022 Annual Non-Court Child Welfare Report

Prepared on behalf of Nebraska's Seven Child Advocacy Centers

September 15, 2022

Mr. O'Donnell:

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 previous lead agency (Saint Francis Ministries) in the counties they serve. This year marks ten years since the Legislature initially provided a framework to DHHS and the CACs on reporting on non-court cases.

Prior to this year, Nebraska Alliance of Child Advocacy Centers provided a report to the Legislature that was above and beyond the statutory reporting requirements in an effort to demonstrate a complete picture of the statewide non-court case data. As reported to the Legislature last year, the data collection process has been based on point in time reports provided to the CACs by DHHS and Saint Francis Ministries. After the information is received, CACs then re-enter this information in a separate data system. This reporting structure has been time intensive due to different data tracking systems, incomplete information received by DHHS, and staff capacity.

Please note, on July 1, 2020, direct access to DHHS's case management system (NFOCUS) was removed from the CACs and an alternative reporting method was agreed upon and implemented. Unfortunately, further constraints around timely and complete data sets remained. On June 8, 2022, CACs met with DHHS to address the ongoing shortcomings. DHHS committed to providing necessary information to CACs for the purpose of maintaining effective case staffing and coordination. As of a result, due to the lack of information obtained from DHHS, CACs and Nebraska Alliance of Child Advocacy Centers are unable to provide a comprehensive report of the statutory required items to the Legislature this year.

Recommendations

To ensure the non-court reporting process is a valuable use of time and resources for both the DHHS and the CACs, similar to last year, the Nebraska Alliance of Child Advocacy Centers 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 coordination and collaboration across systems, especially between the county attorneys and DHHS.
- Replace receiving information on case plan presence and parental compliance with current decisions on safety and risk levels. This information is more objective and further supports case staffing and coordination.
- Revise Neb. Rev. Stat. §43-4407 that requires CACs to 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 takes away from time serving clients and coordinating teams.

Sincerely,

A handwritten signature in cursive script that reads "Ivy Svoboda".

Ivy Svoboda, MSW

Nebraska Alliance of Child Advocacy Centers

Nebraska Non-Court Cases

Nebraska Revised Statute § 43-4407

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 DHHS 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.

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.

*Department of Health and Human Services Standard Work Instruction, "Ongoing Case Management", Chapter 5.7.

Role of CACs and Multidisciplinary Teams

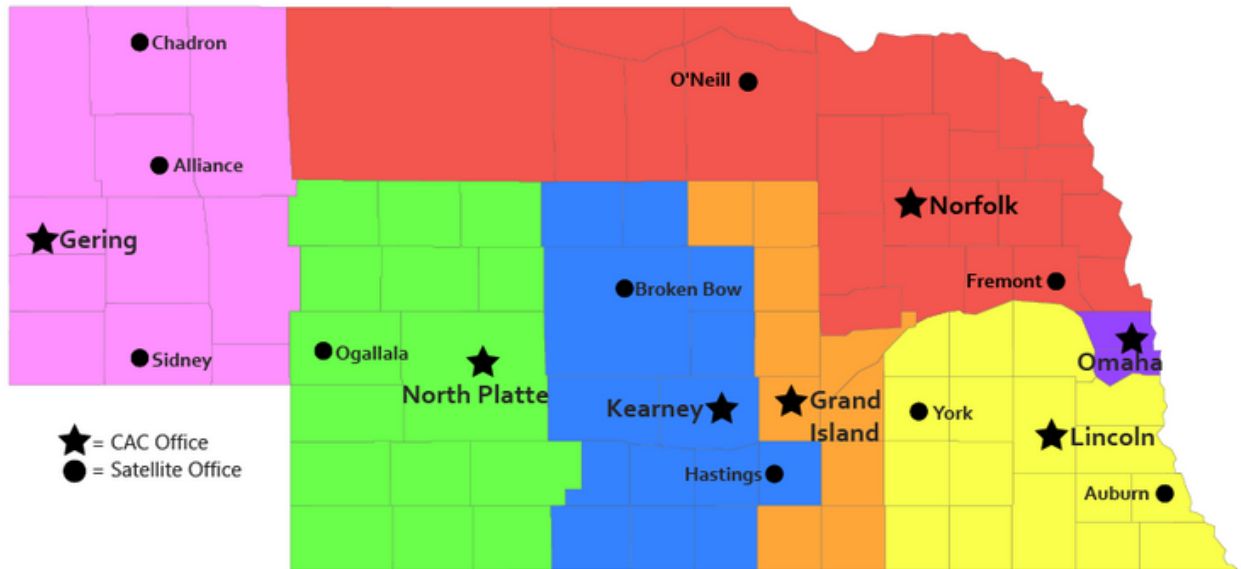


In 2012, the Legislature took action to require local MDTs focused on child abuse and neglect treatment to develop protocols for addressing non-court cases. Protocols are to address teams, staff cases, coordinate and monitor safety plans and treatment offered to children and families.

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.

Nebraska's CAC Service Regions



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