

TB and it was about...I think, written the end of January 1988. The issue in question in that particular situation was what was meant by language placed in statute in 1982 that said the Department of Public Welfare shall have the authority to determine the care, placement, medical services, psychiatric services, training and expenditures on behalf of each child committed to it. And the court found, with that wording, the contention was made that that wording was unconstitutional. The court found that the wording was, in fact, constitutional because under the statute the court still was the final authority in what happened to the juvenile, although the court also found that in cases where the juvenile was awarded to the Department...to the custody of the Department of Social Services, they had no voice in approval or disapproval of those services because the department was paying for them. The suit was found on behalf of the department, because under the statute again I would emphasize, as I stated in my opening, the juvenile court does have the authority, if they disagree with the Department of Social Services, to return the child to an entity, the county who, quite frankly, has no department, has no resources, has no ability to care for the needs of a child. LB 182 is an effort, and I think a good effort, and a reasonable effort, and a sound effort, to provide a means of recourse that does not exist today in light of the Supreme Court's interpretation of the meaning of 43-284, as it currently exists, to provide a means for questioning those very cases, those very cases that Senator Wesely mentioned. Today, if you happen to be involved in one of those cases, and if the court chooses not to return custody to the county, there is no appeal, there is no modification, there is no access to the system for the parents, for the guardian ad litem, for the guardians, for the courts to seek corrections in what might be perceived to be errors in those few, those few department plans that are not made in the best interest of the juvenile. LB 182 seeks to provide a mechanism to allow...

SPEAKER BARRETT: One minute.

SENATOR COORDSEN: ...a process of questioning those few, those few cases where there is reason to question the determination of whoever is the person who is in charge of making the determination, preparing the plan for the juvenile. I would charge you with this, that we can do nothing more than provide this access for appeal in disputed cases. Court orders are items that cause many individuals, many agencies of government