



One Hundred First Legislature - Second Session - 2010  
**Introducer's Statement of Intent**  
**LB 800**

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**Chairperson:** Brad Ashford  
**Committee:** Judiciary  
**Date of Hearing:** January 27, 2010

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

Legislative Bill 800 would enact reform in the juvenile justice system and provide for early intervention with at-risk children and families. The bill addresses early intervention, parental involvement, school attendance, and alternatives to detention through the following proposals:

- Authorize the implementation of civil citations for juveniles with minor offenses to avoid having an arrest record.
- Explicitly prohibit status offenders from being sent to secure detention.
- Enact graduated sanctions for violations of probation.
- Evaluations
  - Authorize OJS to identify the appropriate post-adjudication evaluation and be responsible for completing it.
  - Reduce the timeframe for completing evaluations.
  - Establish timeframe for a hearing on the evaluation results.
- Change provisions related to temporary placement to emphasize the need to place juveniles in the least restrictive environment possible
- Authorize the use of videoconferencing in certain juvenile proceedings.
- Truancy
  - Remove language allowing each district to define and use the distinction between excused and unexcused absence.
  - Remove language allowing the school to end efforts to meet with parents after the parent refuses to participate in a meeting to address the student's truancy if the request and refusal are documented.
  - Add provision requiring school administrators, attendance officers or enforcement officers to make contact with family of the truant student after 5, 10 and 20 truanancies and document the contact. After the third contact, the case can be referred to the county attorney. There must be three documented attempts to get the student to school or the county attorney will not accept the filing.
  - Authorize county attorney to issue an infraction against the parent of a truant student. The first infraction would carry a \$300 fine that could be waived if the parent participates in mediation with a representative from the school. The second infraction would carry a \$500 fine and could be waived with participation

in mediation. After the third infraction, the parent can be charged with a Class III misdemeanor.

- Require each school district to provide a report to Department of Education regarding truancy and strategies developed by district to address truancy.
- Authorize school districts within a Learning Community to establish a reintegration center to assist students who have been out of school for some time or those who have dropped out completely.
- Authorize the Learning Community Coordinating Council to award grants to non-profit organizations providing intervention services for at-risk juveniles focusing on closing the learning gap.
- Require school districts to report to the Department of Education on expulsions, suspensions, referrals to the county attorney for truancy and any contact with law enforcement within 48 hours of occurrence.
- Establish a child-at-risk task force that includes the Department of Education, Probation, HHS, school superintendents and the UNMC College of Public Health.
- Eliminate the use of three-judge panel appeals of juvenile cases where the court orders implementation of a plan different from what HHS recommended and expedite appeals of juvenile cases at the Court of Appeals.
- Clarify juvenile court jurisdiction over parents by giving the court authority to require the parent, guardian or custodian to participate in the therapeutic services necessary for the rehabilitation of the juvenile.
- Add language to provide that in distributing funds provided under the County Juvenile Services Aid Program, counties shall prioritize programs and services that will reduce the juvenile detention population.

**Principal Introducer:**

\_\_\_\_\_ **Senator Brad Ashford**