



**FCRO**  
**FOSTER CARE REVIEW OFFICE**

## TYPES OF NEBRASKA JUVENILE CASES

- **Abuse/Neglect Petitions (43-247(3)(a)):** Children who have been subjected to abuse and/or neglect due to the fault of their parent, guardian, or custodian.
- **Dependency Petitions (43-247(3)(a)):** Children who are homeless or destitute or without proper support due to no fault of their parent, guardian or custodian.
- **Delinquency Petitions (43-247(1),(2),(4)):** Children who have committed a misdemeanor, felony or traffic offense.
- **Status Petitions (43-247(3)(b)):** Children who have not been arrested or charged with a crime, but are at risk because of truancy, uncontrollable behavior, or behavior that is harmful to themselves or others.

## NEBRASKA JUVENILE COURT SYSTEM

- **Juvenile Cases are heard by either a county court or a separate juvenile court in the county where the youth resides. Each have identical legal authority.**
  - **Every county having a population of at least 75,000 constitutes a “separate juvenile court” (Douglas, Lancaster and Sarpy Counties)**
  - **Every county having a population of less than 75,000 the county court sits as a “juvenile court”**

## FOSTER CARE REVIEW OFFICE

Nebraska FCRO is a statutorily created independent state agency; it is not affiliated with the courts, DHHS or any other entity.

Mission of the Nebraska FCRO is to ensure that the best interests; including safety, permanency and well-being; of children in out-of-home care are being met.

# PURPOSE OF THE FOSTER CARE REVIEW OFFICE (§43-1302)

- 1. Provide information; direct reporting; and recommendations to the courts, DHHS and Legislature regarding Nebraska foster care system;**
- 2. Provide oversight of the foster care system through individual case file review process;**
- 3. Complete the federal Title IV-E review process;**
- 4. Complete reviews for Bridge to Independence eligible young adults.**



## **AUTHORITY AND DUTIES OF FCRO**

- **To establish a registry of foster care placements.**
- **To review and guide the activities of the local review boards.**
- **To review cases.**
- **To visit and observe foster care facilities.**
- **To request and/or participate at review hearings.**

# DEFINITION OF FOSTER CARE PLACEMENTS (§43-1301)

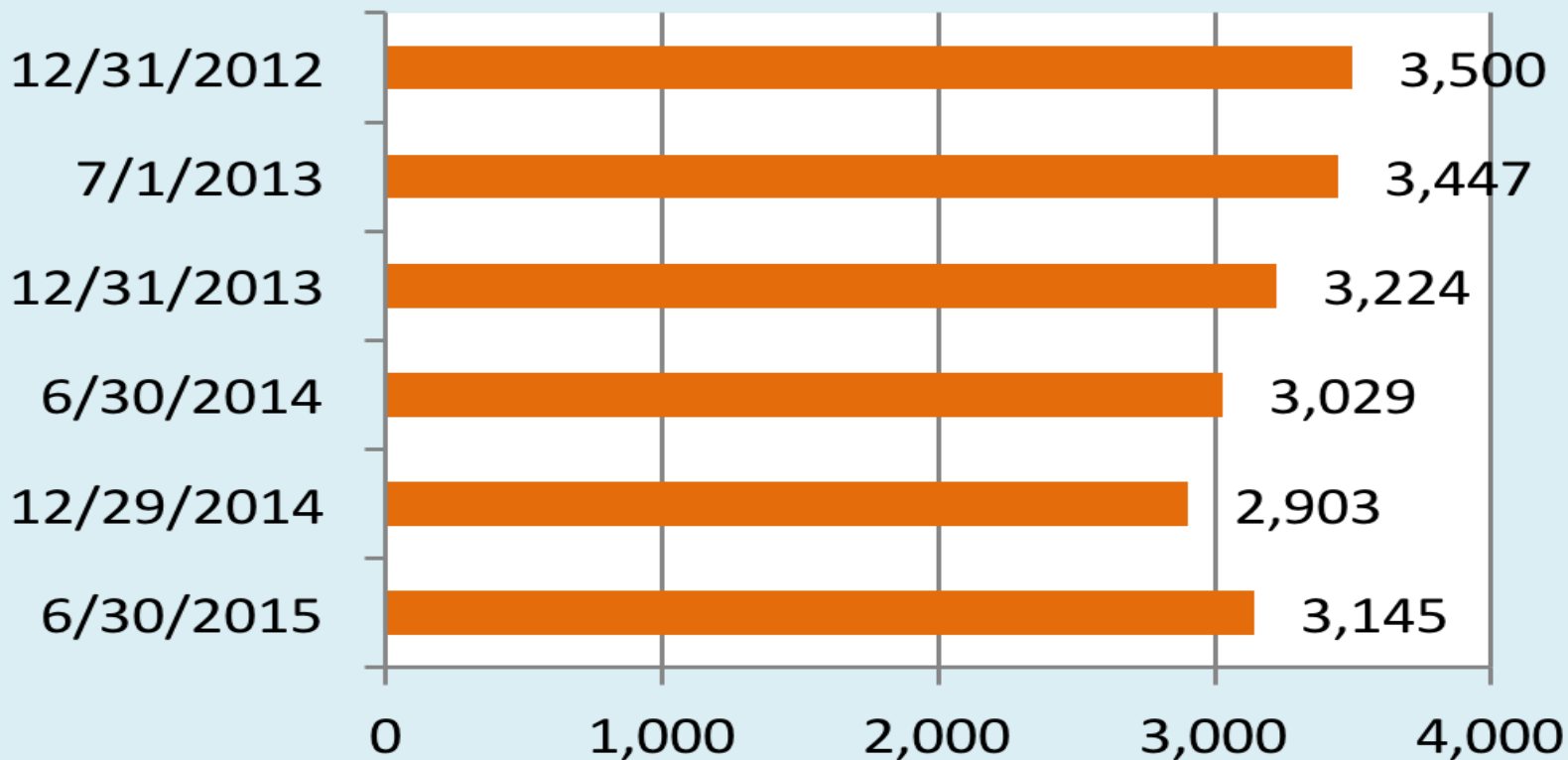
- 1. All types of placements of abused, neglected, dependent or delinquent children whether placed by DHHS, by courts, by parents or by third parties;**
- 2. All types of placements of children who have been voluntarily relinquished to DHHS or any child-placing agency licensed by DHHS;**
- 3. All types of placements that are considered to be trial home visits (defined as placement of a court-involved juvenile who goes from a foster care placement back to her/his legal parent(s) or guardian but remains a ward of the State).**

In fiscal year **2014-15**, the FCRO completed 4,162 case file reviews regarding 2,958 state wards and/or probation youth.



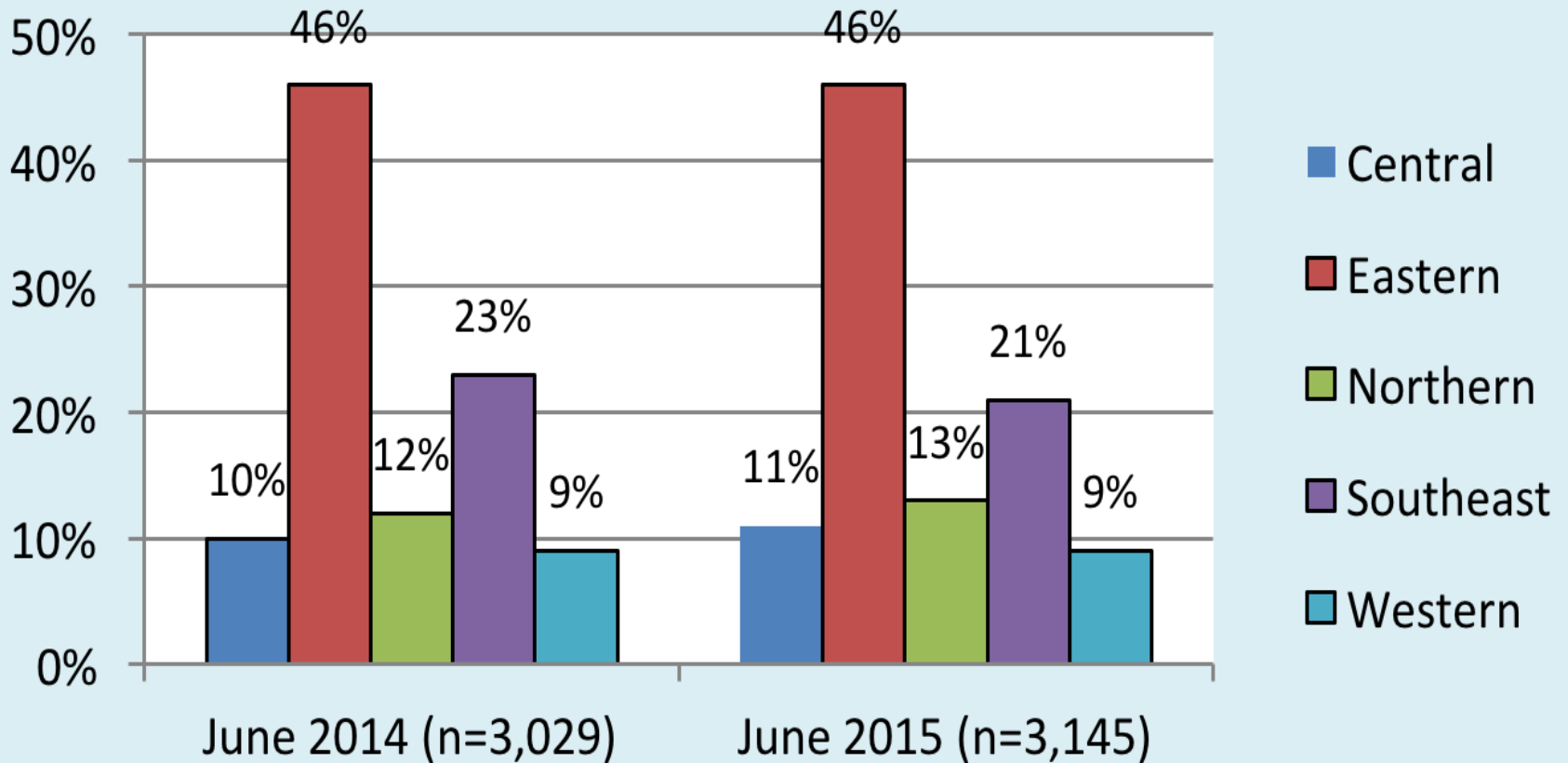
## RELEVANT DATA

**Table 1. DHHS Wards in Out-of-Home Care\***



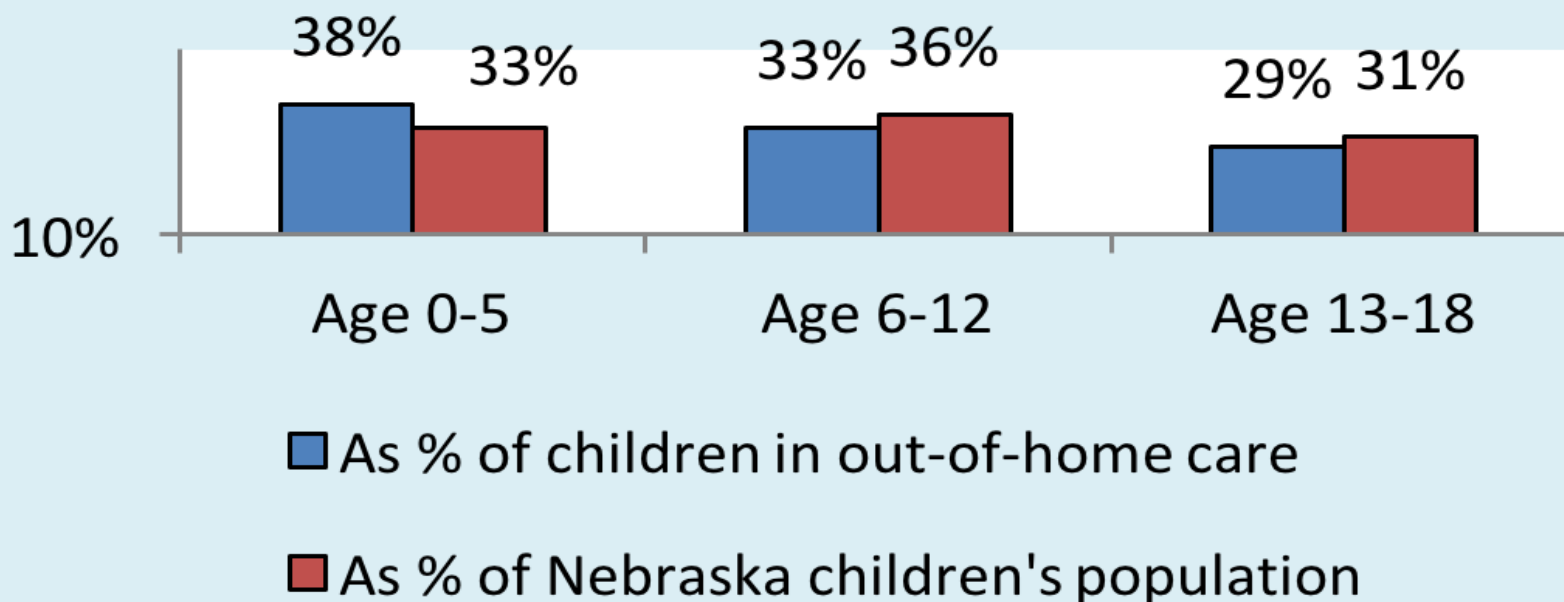
# RELEVANT DATA

**Table 2. Location of State Wards in Out-of-Home Care**



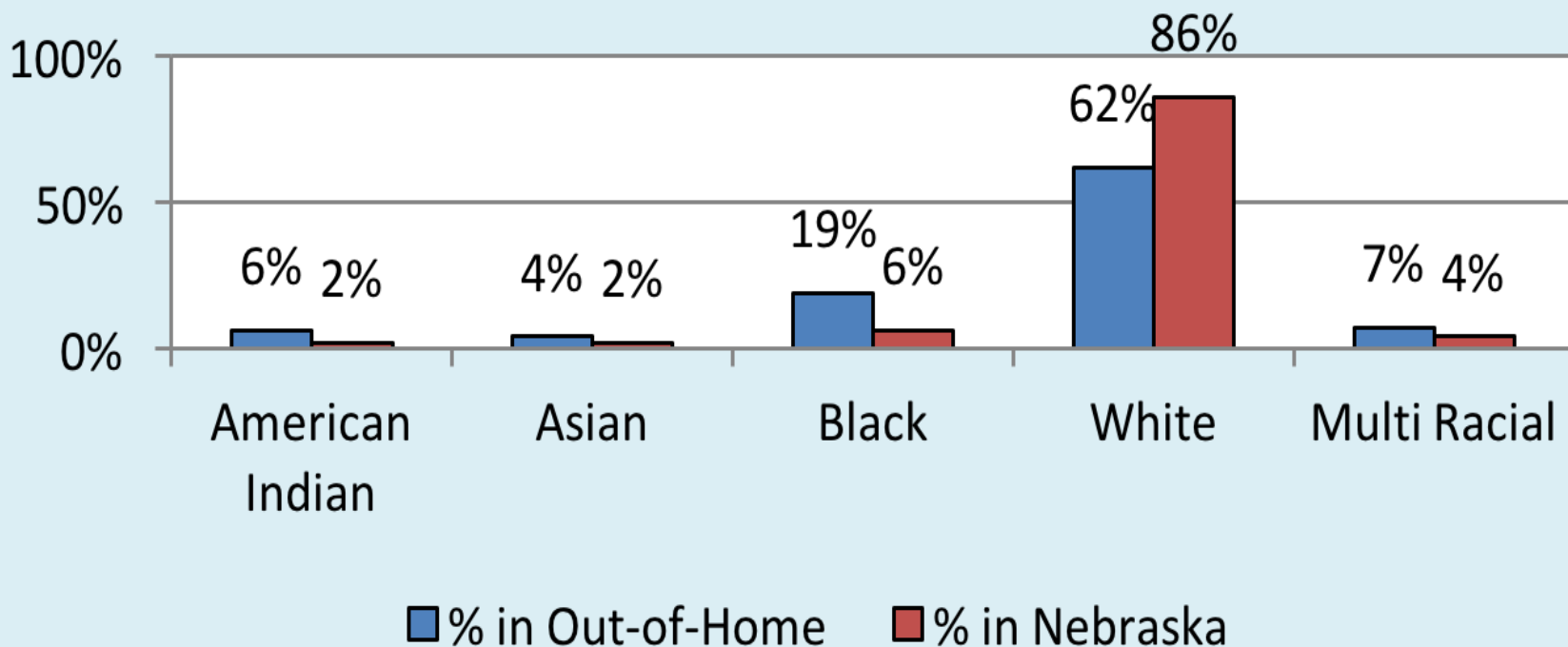
## RELEVANT DATA

**Table 3. Comparison of 3,145 Children In Out-of-Home Care to General Nebraska Population of Children Per US Census**



## RELEVANT DATA

**Table 4. Comparison by Race of 3,145 Children in Out-of-Home Care to General Population in Nebraska (Per Census)**



## RELEVANT DATA

**Table 6. Wards in Care During FY2014-15**

State wards in out-of-home care July 1, 2014	3,029
Plus:	
Wards that entered or re-entered out-of-home care during FY14-15	<u>-2,601</u>
Wards whose cases were active anytime during fiscal year	5,630
Less:	
Children that left foster care during the fiscal year	+2,092
Delayed reports or transfers to other agencies	<u>+393</u>
State wards in out-of-home care on June 30, 2015	<b>3,145</b>



## RELEVANT DATA

**Table 7. Adjudicated Reasons for Removal From the Home for 2,958 Children Reviewed During FY2014-15**

	<b>FY2014-15</b>	<b>Percentage</b>
<b>Neglect and related</b>		
Neglect	1,730	58%
Housing Substandard - Unsafe	722	24%
<b>Physical abuse and related</b>		
Domestic Violence	432	15%
Physical Abuse	370	13%
Abuse/neglect of sibling	230	8%
<b>Sexual abuse</b>	133	4%
<b>Parental substance abuse</b>		
Parent Drug Use	1,089	37%
Parent Alcohol Use	290	10%
Baby Born Substance Affected	54	2%
<b>Parental Incarceration</b>	242	8%
<b>Parent Mental Health</b>	217	7%

## CASE MANAGEMENT DATA

- **21% of the children had been in out-of-home care for over two years**
- **31-40% of the children have had 4 or more caseworkers over their lifetime (less than four is preferred)**
- **31% of the children in out-of-home care on June 30, 2015, had been removed from their home more than once during their lifetime**
- **98% of the cases reviewed there was documentation that caseworkers had contact with the children in the 60 days prior to the case file review**

## COURT AND LEGAL SYSTEM DATA

- **1 out of 4 children reviewed did not have their case adjudicated by the Court within 90 days of the filing of the petition which was not improved**
- **51% of the cases reviewed there was no documentation regarding guardian ad litem contact with the child**
- **84% of the courts did conduct timely permanency hearings but in about 80% of the cases reviewed the FCRO was unable to locate any documentation of an exception hearing by the court**

## PLACEMENT DATA

- **29% of the children had 4 or more placements over their lifetime**
- **52% of the children in out-of-home care June 30, 2015, were placed in relative or kinship homes. This is a significant increase from 29% in 2013**
- **There are fewer licensed foster home beds in the past year with some foster homes operating at over capacity**

## EDUCATION DATA

- **47% of school-aged children reviewed were either not on target in school or the FCRO was unable to determine if they were on target**
- **28% of the school-aged children reviewed were enrolled in special education**
- **41% of the youth that changed caregivers had also changed schools**
- **44% of state wards in 12th grade graduated high school compared to 88% non-wards**



## PHYSICAL/MENTAL HEALTH DATA

- **44% of the children reviewed had a professionally diagnosed mental health and/or trauma related condition**
- **25% of the children were prescribed psychotic medication at the time of their most recent FCRO review**

## TRIAL HOME VISIT REVIEWS

**November 16, 2015, there were 512 children on a trial home visit and they had been in the home for an average of 143 days (almost 5 months)**

## **PROBATION REVIEWS**

**November 16, 2015, there were 869 youth in out-of-home care through Probation:**

- **70% of these youth were male and 1% was under the age of 13 years**
- **Two-thirds of these youth were in congregate care facilities. (20% in the YRTC's or detention facilities; 17% in group homes; 27% were in a type of treatment facility)**
- **70% of these youth were from the Eastern and Southeast Service Area of the State**

## **BRIDGE TO INDEPENDENCE REVIEWS (b2i)**

**February 2015 through September 2015, the FCRO completed 91 reviews:**

- **65% of the young adults were female**
- **51% were from the Eastern Service Area and 28% from the Southeast Service Area**
- **26% of the young adults had a child(ren) and another 17% were pregnant at the time of the review**

## FCRO RECOMMENDATIONS

- **Legislative:**
  - Amend statutes regarding computation of caseload standards.
  - Complete a study regarding the strengths and deficits of our children's mental and behavioral health system.
  - Require the Nebraska Children's Commission to specifically look at creation of a true system of care; utilization of performance-based contracts by DHHS; in-depth study of case management workforce; and review of Nebraska's current judicial process.