

Guardianships and Juvenile Diversion Change Lives and Preserve Resources

GUARDIANSHIP TRAINING

Nebraska Judges saw a need to provide better training for state guardians. This is based on the fact that over 2000 guardians/conservators are appointed annually in the State of Nebraska. The only training available was a half hour video. When they saw the need for training they came to Cooperative Extension to ask for the educational piece to get this done.

A partnership of the following was formed to write the Guardianship Training curriculum:

- ◆ Nebraska Supreme Court; Nebraska Bar Association
- ◆ Region V Services
- ◆ Family Counsellors
- ◆ Nebraska State Department of HHS, Adult Protective Services
- ◆ The Arc of Nebraska
- ◆ Nebraska Developmental Disabilities Planning Council/Nebraska Department of HHS; Nebraska Volunteer Attorney's Program
- ◆ Guardians

The curriculum has been piloted this year in eight of the twelve Nebraska judicial districts and will be expanded as needed to the state. To date, 65 Guardians have completed the training.

What is a Guardian?

A guardian is defined as: "A person who guards or keeps safe and secure a minor child or an adult whom the law regards as incompetent to manage his or her own affairs." Legally, a guardian is "one who has, or is entitled to, the care and management of the person or property, or both."

The two most common appointment types are:

Conservator is an individual or corporation appointed by the court to manage the estate, property and/or other business affairs of an individual whom the court has determined is unable to do so for him/herself.



Guardianship provides for the care of someone who is not able to care for him/herself. The court may appoint a guardian if there is clear and convincing evidence that someone requires continuing care or supervision. Nebraska law allows for, and favors, the appointment of a limited guardian. This is a guardian who looks after a limited number of the person's personal needs. The court is required to look at ten items listed in the guardianship law and identify those individual items for which the person needs assistance. A limited guardianship is less restrictive than a full guardianship. A full guardianship is established when it is determined that surrogate decision making is needed in all of the areas the court is required to review.

If you are interested in knowing more about Guardianship Training or becoming a guardian please contact one of these

Educators:

- Susan Brown – Adams County 402-461-7209
- Cindy Strasheim – Clay County 402-762-3644
- Dianne Swanson – Gage County 402-223-1384
- Mary Ann Holland – Cass County 402-267-2205
- Eileen Krumbach – York County 402-362-5508
- Sandra Preston – Dixon County 402-584-2234
- Deanna Peterson – Lincoln County 308-532-2683

University of Nebraska - Lincoln

Cooperative Extension

Extension educators and specialists teach, facilitate and collaborate in providing research-based information to approximately 400,000 urban and rural Nebraska residents annually. A Nebraska mainstay since 1915, extension carries forward the land-grant university mission of taking the resources of the university to the state. As a trusted source of factual information today, extension is just as vital as ever, and perhaps even more so, because of the diverse, complex—and often confusing—issues people encounter. Extension helps Nebraskans put knowledge to work. It provides a variety of educational opportunities, delivered via a variety of ways, so participants have knowledge they can use to make sound decisions to better their lives.

JUVENILE DIVERSION IN SOUTHEAST NEBRASKA

The Juvenile Diversion program offers youth who are first-time offenders an alternative to the court system when they make a wrong decision that leads to a juvenile offense.

Program Overview

Juvenile Diversion is not a required county program, but in counties where it is available, statutory guidelines must be followed. Guidance and support for development of county requirements is a partnership of interested individuals that may include representatives of law enforcement, the judicial system, attorneys and program representatives. Participation and support of the County Attorney are key.

The overall goal of the program is to help youth to make better decisions that will keep them from further involvement with the legal system. Objectives include:

- ◆ Improve communication skills - both between parent and child and with others
- ◆ Increase responsibility, which includes taking ownership for individual actions
- ◆ Enhance decision making skills
- ◆ Increase knowledge regarding substance use and abuse

Students and parents are required to attend classes. Students also have mandatory homework and community service. Topics include understanding and positively expressing feelings, understanding differences in personality, communication skills, conflict management, problem solving skills, alcohol/drug use and abuse, consequences and behavior, decision making, making responsible choices and goal setting.

Community Resources

Teaching team members vary by location. They may involve a variety of school personnel, a counselor, Cooperative Extension personnel, a nurse, a state Probation Officer and the Juvenile Diversion Coordinator. Other guest speakers have included law enforcement, school administrators, Nebraska National Guard, local retail business representatives, hospital employees and prison inmates.

Outcomes

Evaluation includes exit interviews, written evaluations and checks on county recidivism rates to determine re-offense statistics.



Beatrice Police Chief Bruce Lang teams with Extension Educator Dianne Swanson of the UNL Cooperative Extension Juvenile Diversion program in Gage County.

Benefits

Both the county and individual youth benefit from the Juvenile Diversion program. Court costs usually include at least two appearance dates for a minor involving the County Attorney's office, the County Judge and may include the services of a court appointed attorney. Minor and parents are also required to attend court appearances. Savings to the county will vary with each individual, but an average of \$1000 is estimated.

In a nutshell

The rate of re-offense of juvenile diversion students is reviewed periodically. For example, Gage County statistics show that out of 157 students who completed the Juvenile Diversion program during the last three years, 69% have not returned to the legal system.

