

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING
ROOM 113 - BILL LUXFORD STUDIO
THURSDAY, MAY 19, 2016
8:30 A.M.**

Commissioners Present: Roma Amundson, Chair
Larry Hudkins
Deb Schorr
Bill Avery

Commissioners Absent: Todd Wiltgen, Vice Chair

Others Present: Kerry Eagan, Chief Administrative Officer
Gwen Thorpe, Deputy Chief Administrative Officer
Dan Nolte, County Clerk
Ann Taylor, County Clerk's Office

Advance public notice of the Board of Commissioners Staff Meeting was posted on the County-City Building bulletin board and the Lancaster County, Nebraska, web site and provided to the media on May 18, 2016.

The Chair noted the location of the Open Meetings Act and opened the meeting at 8:33 a.m.

AGENDA ITEM

1 APPROVAL OF MINUTES OF THE MAY 12, 2016 STAFF MEETING MINUTES

MOTION: Schorr moved and Hudkins seconded approval of the May 12, 2016 Staff Meeting minutes. Schorr, Hudkins and Amundson voted aye. Avery and Wiltgen were absent. Motion carried 3-0.

2 ADDITIONS TO THE AGENDA

A. Report on City Utilities Capital Improvement Program (CIP) Project Tour (Exhibit A)

MOTION: Hudkins moved and Schorr seconded approval of the addition to the agenda. Hudkins, Schorr and Amundson voted aye. Avery and Wiltgen were absent. Motion carried 3-0.

3 INTERLOCAL AGREEMENT WITH LINCOLN ELECTRIC SYSTEM (LES) FOR PAVING ROKEBY ROAD - Pam Dingman, County Engineer

Pam Dingman, County Engineer, gave an update on the proposed interlocal agreement between the County, City of Lincoln and Lincoln Electric System (LES) for paving of Rokeby Road between South 84th and South 98th Streets (Exhibit B), noting there are still issues needing to be worked out with the City and adjacent developers. She said this road will be a modified Rural to Urban Transportation System (RUTS) Program road and said it is the City's intent to build an island in the middle, then add 17 feet of pavement on each side (a 13 foot lane with a four foot shoulder). Dingman said the costs will be paid entirely by LES as part of its project to construct a new LES Operations Center (LOC) at South 98th Street and Rokeby Road (see October 29, 2015 Staff Meeting minutes for more information about the project).

Hudkins questioned whether it was wise to deviate from lane width specified in RUTS. Dingman said RUTS provides for 120 feet of right-of-way, 42 feet of graded top, installation of drainage structures, and a 24 feet section of asphalt off to one side. This section will have a little less right-of-way. Hudkins said the original concept of RUTS was to secure enough right-of-way for the future. Dingman said that standard doesn't fit every application, adding she is confident this section will never be a through road or a major arterial due to its close proximity to railroad tracks and Nebraska Highway 2. Hudkins suggested taking the full right-of-way by taking more on the other side. Dingman said she doesn't believe it makes it sense to do that. She explained LES only has control over one piece and she would have to negotiate acquiring any additional right-of-way with other property owners. Dingman reminded the Board the County is gaining a paved road at no cost.

Avery arrived at the meeting at 8:43 a.m.

Hudkins said he is concerned with setting a precedent. Dingman said the agreement states it should be based on circumstances and said she believes there is a problem in uniformly enforcing a template design without inserting engineering judgement.

Dingman indicated plans to discuss the long-term impact of RUTS on her budget at County Engineering's budget hearing.

NOTE: Several representatives of LES were also in attendance.

ADDITIONS TO THE AGENDA

- A. Report on City Utilities Capital Improvement Program (CIP) Project Tour (Exhibit A)

Hudkins said he attended the tour, along with members of the Lincoln City Council.

ADMINISTRATIVE OFFICER REPORT

A. Agency Tours Scheduling Conflict (August 23, 2016)

There was consensus to hold the item.

E. Juvenile Justice Prevention Fund (JJPF) Funding Recommendations

There was consensus to schedule the item on the May 24, 2016 County Board of Commissioners Meeting agenda.

4 POTENTIAL SALE OF HICKMAN COUNTY ENGINEER SHOP - Pam Dingman, County Engineer; Ken Schroeder, County Surveyor

Pam Dingman, County Engineer, said the City of Hickman has indicated it would like the Hickman County Engineer Shop used for a different purpose (see Exhibit C). She said a local honey operation is looking for a storefront and may be interested in the building. She said the building is only used for storage and said those items could be stored elsewhere.

Kerry Eagan, Chief Administrative Officer, said the County could declare the property surplus under provisions in Nebraska Revised Statute §23-107.01 (Real estate owned by county; sale or lease; terms and procedures) or the City of Hickman could initiate condemnation action.

Schorr asked whether there are any contamination or access concerns. Dingman said the City of Hickman would deal with those issues.

MOTION: Schorr moved and Hudkins seconded to begin the process of declaring the Hickman County Engineer Shop surplus property. Avery, Schorr, Hudkins and Amundson voted aye. Wiltgen was absent from voting. Motion carried 4-0.

ADMINISTRATIVE OFFICER REPORT

D. Claim for Review - Payment Voucher (PV) 525723 to Kessler Soils Engineering, Dated May 5, 2016, the Total Amount of the Claim is \$16,215.60. The Amount of this Purchase Requires a Purchase Order

Dingman said a member of her staff purchased two pieces of soil density testing equipment without going through the Purchasing Department and said she is addressing that matter internally as a personnel issue. She estimated the total difference in cost between this purchase and purchasing it off the State contract at \$300.

MOTION: Schorr moved and Hudkins seconded to handle the claim through the regular claims process. Schorr, Hudkins, Avery and Amundson voted aye. Wiltgen was absent from voting. Motion carried 4-0.

5 APPROVAL OF GRANT APPLICATION TO THE OFFICE OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION (OJJDP) REQUESTING \$400,000 FOR FAMILY TREATMENT DRUG COURT - Sara Hoyle, Human Services Director; Juvenile Court Judge Roger Heideman

Sara Hoyle, Human Services Director, requested authorization to submit a grant application to the Office of Juvenile Justice and Delinquency Prevention (OJJDP) for a three-year grant in the amount of \$400,000 to expand the Family Drug Court to include treatment and temporary housing, which includes funding for evaluation, noting the indirect rate the County would receive back is \$34,500. She said the grant would be administered through Human Services but the Juvenile Court would coordinate the grant.

Juvenile Court Judge Roger Heideman, said the program was initially voluntary and offered incentives for participation. Over the years those incentives were eliminated and the County was left with a voluntary program but no participants coming in. In 2013, the track of the program moved into what is nationally referred to as an "infusion court" and participation is now mandatory. Cases are identified early and dispositional orders reflect that track. He said one of the outcomes is that children have been reunified with their parents sooner and in cases where reunification is not achieved, the County Attorney has been willing to file motions to terminate parental rights sooner. Those cases have all resulted in relinquishments as opposed to trials. Judge Heideman disseminated copies of an article titled: Giving Parents a Voice: A Case Study of a Family Treatment Drug Court Track in Lancaster County Nebraska that was recently published in the Court Review, The Journal of the American Judges Association (Volume 52, Issue 1) (Exhibit D), noting there will be a presentation on the program at the 2016 Child Welfare League of America (CWLA) Conference on Substance Abuse.

MOTION: Schorr moved and Hudkins seconded approval. Hudkins, Avery, Schorr and Amundson voted aye. Wiltgen was absent from voting. Motion carried 4-0.

ADMINISTRATIVE OFFICER REPORT

- I. Meeting with Senator Bob Krist, Nebraska Crime Commission, and Lancaster County Representatives Regarding Community-Based Juvenile Services Program

Hoyle said Senator Bob Krist recently met with Darrell Fisher, Executive Director of the Nebraska Crime Commission and Crime Commission staff to discuss community aid funding. Senator Krist had questions related to whether Lancaster County was in compliance with common definitions related to community aid funds that are referenced in state statutes. She said those common definitions were developed by the Juvenile Justice Institute (JJI) and said either she or Sheli Schindler, Youth Services Center (YSC) Director, sat in on every meeting the JJI held that addressed the common definitions. Hoyle said Dr. Anne Hobbs, JJI Director, has stated Lancaster County has been very instrumental in developing the common definitions and is in compliance with every requirement set forth in statutes for the community aid funds. Hoyle said she and the Crime Commission believe it is the common definitions through the Juvenile Detention Alternatives Initiative (JDAI) that Senator Krist is referencing. **NOTE:** See November 5, 2015 Staff Meeting minutes for more information regarding JDAI. She said she has requested a copy of those definitions and was told they are not developed yet. The Crime Commission has suggested that they meet with Senator Krist, along with Dr. Hobbs and representatives of Lancaster County. Kerry Eagan, County Chief Administrative Officer, and the County Attorney's Juvenile Division have also indicated a willingness to attend. Hoyle said they are still trying to coordinate meeting dates with Senator Krist.

Eagan said he believes Joe Kohout, the County's legislative consultant, should also be apprised that this is occurring.

6 BUDGET UPDATE - Dennis Meyer, Budget and Fiscal Officer

Dennis Meyer, Budget and Fiscal Officer, presented Fiscal Year (FY) 2016-2017 Budget Requests, noting the following (Exhibit E):

- Revenues by Percentage Increase
- Revenues by Dollar Amount Increase
- Expenditures by Percentage Increase
- Expenditures by Dollar Amount Increase

Meyer said General Fund budget requests are \$2,400,000 higher than the adopted budget for FY 2015-2016. Budget issues include:

- Building Fund
- Railroad Transportation Safety District (RTSD) levy
- Union contracts
- Increases in elected officials' salaries based off the Consumer Price Index (CPI) and market adjustments
- Health insurance
- Rents

Meyer noted items he would like departments to address at their budget hearing:

FY 2015-2016 Budget (Current Year)

- Do you need additional appropriations and why or why not?
- Are there any cleanup items with the City or State before the end of the fiscal year?

FY 2016-2017 Budget

- Full-time equivalents (FTE's)/Unfilled positions/Retirements/Temporary employees
- Out-of-state travel
- Capital outlay
- Computer requests
- Increase in personnel (new FTE's)
- Unfunded mandates
- Non-mandated functions

Meyer asked the Board whether it sees a need for the City-County Common to hold budget hearings this year. Board members felt it is more effective to ask directors of joint departments to come to a Staff Meeting if there are questions about their budgets.

A) PROPERTY MANAGEMENT RENTS - Don Killeen, County Property Manager

Don Killeen, County Property Manager, discussed Public Building Commission (PBC) Rents (see Exhibit E). He said the base rent for the government campus did not change (\$10.50 per square foot) but there is a variance (\$0.50 per square foot) for additional security measures in the County-City Building. Killeen noted the PBC is sharing equally in the costs for space in the 605 Building that is being held for the courts. Meyer said he has built the County's share of those costs into the Building Fund. The Sheriff's space in the 605 Building for information technology (IT) will be covered with federal forfeiture funds. Corrections' rent figure includes bond payments for the sally port in the 605 Building. The rent figure for the Crisis Center includes debt service for the bond for the Benesch Building.

Schorr asked how the anticipated sale of the Community Mental Health Center (CMHC) Building will impact the budget. Killeen said the proceeds from that sale will be used to pay off a \$3,000,000 line of credit that was used for renovation of the Benesch Building for the Crisis Center.

Schorr also inquired about the process to sell Trabert Hall. Killeen said he anticipates departments in Trabert Hall could move out by April, 2017 and then the process to declare the building surplus could begin. Meyer recommended the proceeds from that sale be applied towards furniture, fixtures and equipment (FF&E) for the 605 Building.

B) INFORMATION SERVICES (IS) - Steve Henderson, Chief Information Officer, Information Services (IS)

Steve Henderson, Chief Information Officer, Information Services (IS), presented Information Services, FY 2016-2017 Projected Billings (Exhibit F), noting an overall reduction of 6.05% in County billings for the upcoming fiscal year.

Meyer said there should be a reduction in Voice over Internet Protocol (VoIP) costs in the coming year. He said the reduction in the County Commissioners' line item (\$214,433.70) is related to completion of the JD Edwards EnterpriseOne financial system upgrade. Henderson said operating expenses for that system will also be reduced. Meyer said the increase in the County Clerk's line item (\$51,194.15) is related to the payroll system which is no longer supported by the vendor. He said the County will likely have to move to a new payroll system. Schorr asked whether the County could bond for the expense. Meyer said that will have to be determined when more is known about costs.

C) ADDITIONAL APPROPRIATIONS

Meyer said a resolution in the matter of transferring appropriations from the General Fund Miscellaneous Budget to the General Fund County Court and General Assistance (GA) Budgets will be scheduled on the May 24, 2016 County Board of Commissioners Meeting agenda. He said the transfer amount to County Court is \$42,000 and the transfer amount to General Assistance is \$220,000.

7 DEVELOPMENT AND CONDITIONAL ZONING AGREEMENT FOR COUNTY CHANGE OF ZONE NO. 16010 (ACTION REQUIRED) -

Dave Derbin, Deputy County Attorney; Don Killeen, County Property Manager; Tom Cajka, Planner II, Planning Department

Dave Derbin, Deputy County Attorney, said Rick Peo, Chief Assistant City Attorney, has agreed to the proposed Development and Conditional Zoning Agreement (see agenda packet) and has asked the County Board to submit an executed copy so it can be scheduled for introduction before the City Council on May 23rd. He noted the City Council will hold a public hearing on the zoning request on June 6, 2016 and said if there are any changes between the public hearing and the City Council vote one week later, the two entities could enter into a substitute agreement.

In response to a question from Eagan, Killeen said relinquishing retail wouldn't affect the value. Tom Cajka, Planner II, Planning Department, said the County is asking for a change of zone from a R-4 (Single Family Residential/Duplexes) Zoning District to B-3 (Commercial) Zoning District, which allows retail, and said it wouldn't make sense to have a B-3 zoning if retail was relinquished. Derbin said the County could always agree to carve out certain aspects of retail that might be objectionable. He said the City Attorney's Office sees no problems with being more restrictive.

MOTION: Hudkins moved and Schorr seconded approval of the Development and Conditional Zoning Agreement. Avery, Schorr, Hudkins and Amundson voted aye. Wiltgen was absent from voting. Motion carried 4-0.

Hudkins suggested all of the Commissioners be present at the City Council's public hearing on the change of zone request. Commissioner Wiltgen plans to testify at the public hearing on behalf of the County and Region V Systems.

8 ACTION ITEMS

There were no action items.

9 CONSENT ITEMS

There were no consent items.

10 ADMINISTRATIVE OFFICER REPORT

A. Agency Tours Scheduling Conflict (August 23, 2016)

Item was moved forward on the agenda.

B. Employee Recognition Breakfast Assignments (May 24, 2016)

Informational only.

C. Renew Lincoln Journal Star Newspaper Subscription (\$312.00 Annually)

There was consensus to renew the subscription.

Avery exited the meeting at 10:42 a.m.

- D. Claim for Review - Payment Voucher (PV) 525723 to Kessler Soils Engineering, Dated May 5, 2016, the Total Amount of the Claim is \$16,215.60. The Amount of this Purchase Requires a Purchase Order

Item was moved forward on the agenda.

- E. Juvenile Justice Prevention Fund (JJPF) Funding Recommendations

Item was moved forward on the agenda.

Avery returned to the meeting at 10:43 a.m.

- F. Interim Corrections Director

Gwen Thorpe, Deputy Chief Administrative Officer, who is currently serving as Interim Corrections Director, recommended that Brad Johnson, Corrections Administrator, be appointed the Interim Corrections Director.

MOTION: Hudkins moved and Schorr seconded to direct staff to schedule appointment of Brad Johnson as Interim Corrections Director at a salary of \$94,000, effective June 2, 2016, on the May 24, 2016 County Board of Commissioners Meeting agenda. Schorr, Hudkins, Avery and Amundson voted aye. Wiltgen was absent from voting. Motion carried 4-0.

- G. Reimbursement Requests from Prudential Expense Account for Travel Costs for Prudential Client Conference: Doug Cyr (\$661.70) and Kerry Eagan (\$604.80)

MOTION: Schorr moved and Hudkins seconded approval of the reimbursement requests. Hudkins, Avery, Schorr and Amundson voted aye. Wiltgen was absent from voting. Motion carried 4-0.

- H. Extension of Completion Date of Abbott Motocross Park Improvement Fund Grant to September 1, 2016

There was consensus to schedule the item on the May 24, 2016 County Board of Commissioners Meeting agenda.

- I. Meeting with Senator Bob Krist, Nebraska Crime Commission, and Lancaster County Representatives Regarding Community-Based Juvenile Services Program

Item was moved forward on the agenda.

J. Visitor Improvement Fund Grant Request from Lincoln Children's Zoo

There was consensus to forward the grant request from the Lincoln Children's Zoo in the amount of \$2,100,000 (\$300,000 a year for seven years, beginning in 2018) to the Visitors Promotion Committee (VPC) for review and recommendation.

It was noted the Lancaster Event Center is also planning to submit a large grant request.

11 PENDING

There were no pending items.

12 DISCUSSION OF BOARD MEMBER MEETINGS

A. Information Services Policy Committee (ISPC)

Meeting was cancelled.

B. Parks and Recreation Advisory Board - Hudkins

Hudkins said discussion focused on the Lincoln Children's Zoo expansion plans.

C. Human Services Joint Budget Committee (JBC) - Amundson, Schorr

Schorr said they were provided information on juvenile detention programs and detention alternatives and a new civic health initiative. She said they also discussed concerns expressed by non-profit providers regarding whether United Way's and Prosper Lincoln's initiatives are aligned.

D. Lincoln Independent Business Association (LIBA) Budget Monitoring Committee - Amundson

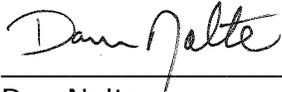
Amundson said discussion focused on the City's Pension Review Committee, Southeast Community College's (SCC's) bond issue plans, and the proposal to turn the now-vacant Pershing Auditorium into a new downtown library.

13 EMERGENCY ITEMS AND OTHER BUSINESS

There were no emergency items or other business.

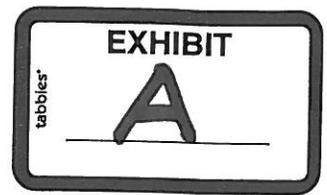
14 ADJOURNMENT

MOTION: Schorr moved and Hudkins seconded to adjourn the meeting at 11:11 a.m. Avery, Schorr, Hudkins and Amundson voted aye. Wiltgen was absent from voting. Motion carried 4-0.



Dan Nolte
Lancaster County Clerk





**Utilities CIP Project Tour
Wednesday, May 18, 2016
1:00 – 4:30 p.m.**

Start at City Hall, 555 South 10th street (west side, 9th Street entrance)

1:00 p.m. on Wednesday, May 18, 2016

Travel by city bus

10 minutes – travel to Wastewater Treatment Facility (2400 Theresa Street)

Tour stops to include in the following order:

• **Wastewater Treatment Facility (2400 Theresa Street) – 1 hour**

- CIP Project 0728 – Solids Handling Improvements (Thickening)
- CIP Project 0818 – Biogas to Vehicle Fuel Renewable Energy Project

20 minutes – travel to Northeast Treatment Facility (7000 North 70th Street)

• **Northeast Wastewater Treatment Facility (7000 North 70th Street) – 30 minutes**

- CIP Project 0817 – Northeast WWTF Solids Handling Improvement

10 minutes – travel to Bluff Road Landfill (6001 Bluff Road)

• **Bluff Road Landfill (6001 Bluff Road) – 50 minutes**

- CIP Project 0254 – Permitting - Bluff Road Landfill
- CIP Project 0852 – Gas System Expansion and Improvements

30 minutes – travel to City Hall, 555 South 10 Street

Arrive at City Hall, 4:30 p.m.

Utilities CIP Project Tour

Theresa Street Wastewater Treatment Facility

CIP Project 0818

Biogas to Vehicle Fuel Renewable Energy Project

- Utilize methane or “biogas” a byproduct of solids processing to fuel the StarTran bus fleet and City vehicles.
- Currently biogas is used to generate electricity. Approximately 19,000 kilo-watt hours of electricity is generated on a daily basis decreasing the treatment facilities energy demand from LES.
- Project requires the phased construction of biogas cleaning, compression, storage, conveyance and the decommissioning of the current co-generation system.



CIP Project 0728

Solids Handling Improvements(Thickening)

- Replace existing 45 year old dissolved air floatation (DAF) process.
- The DAF process is flexible in operation but is limited to a lower thickened solids concentration and consumes more energy than newer technologies.
- A study by Olsson Associates to identify and evaluate the newer technologies available today, solids loadings, operational strategies and the future needs of the treatment facility is near completion.



Utilities CIP Project Tour

Theresa Street Wastewater Treatment Facility

CIP Project 0817

Solids Handling (Dewatering) Improvements

- Currently the Northeast WWTF does not have dewatering facilities and relies on a very operational intensive liquid injection land application process.
- The Injection Facility was constructed in 1980 for the agronomic application of the biosolids produced at treatment facility.
- This approximately 450 acre facility is no longer large enough to agronomically accommodate the solids volume specifically the nitrogen and nutrient loading as currently processed by the treatment facility.



CIP Project 0829

Methane Gas (Biogas) Storage

- The existing membrane storage system has exceeded its useful life and cannot be safely utilized.
- Gas storage allows for the extended use of biogas to heat the anaerobic digestion process and many other buildings at the treatment facility without using purchased natural gas.



SOLID WASTE MANAGEMENT DIVISION

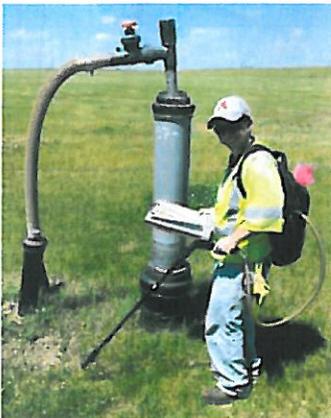
0254 – Permit / Bluff Road Landfill

- characterize the hydrology / geology
- complete siting approval process
- revise/update all permit drawings
- survey and volume calculations
- preliminary boundary determination



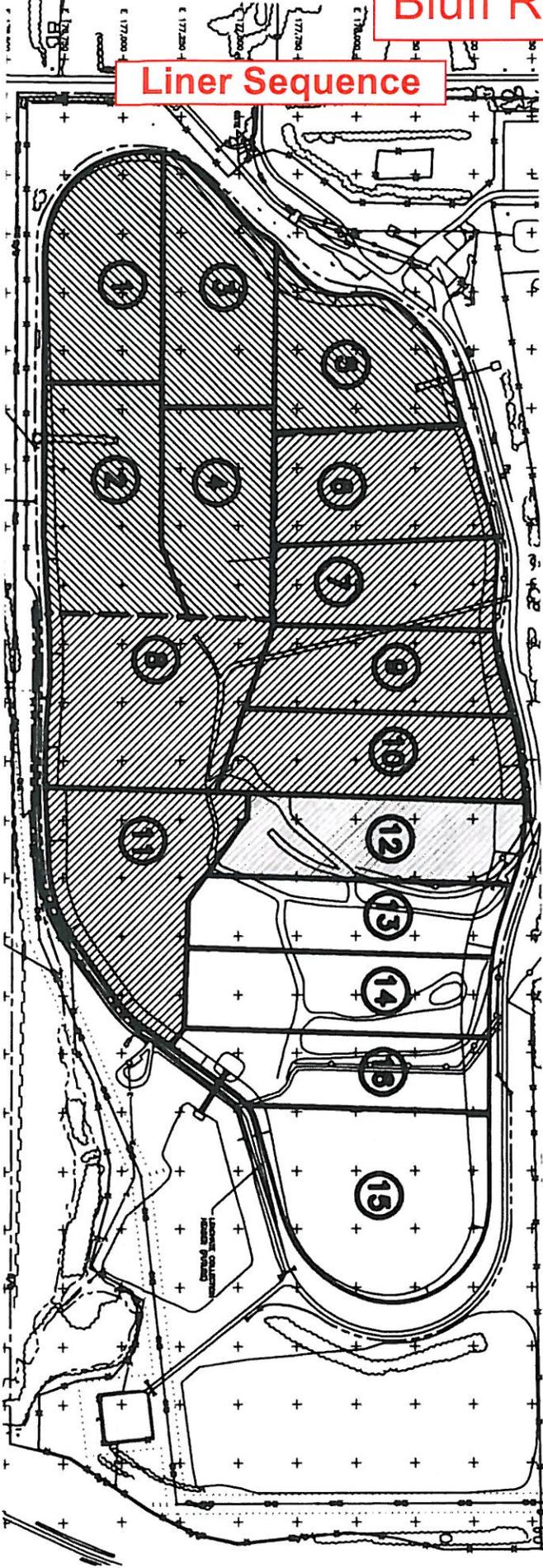
0852 - Gas System Expansion and Improvements

- regulated / required to control methane emissions
- currently producing approximately 4.2 MW of electricity
- expansion planned to maximize energy production
- physical improvements at gas/leachate complex to ensure safety of employees and protect the process equipment
- extension and installation of wells/collectors; correct sagging laterals
- move lateral pipes above plastic component of the cap system

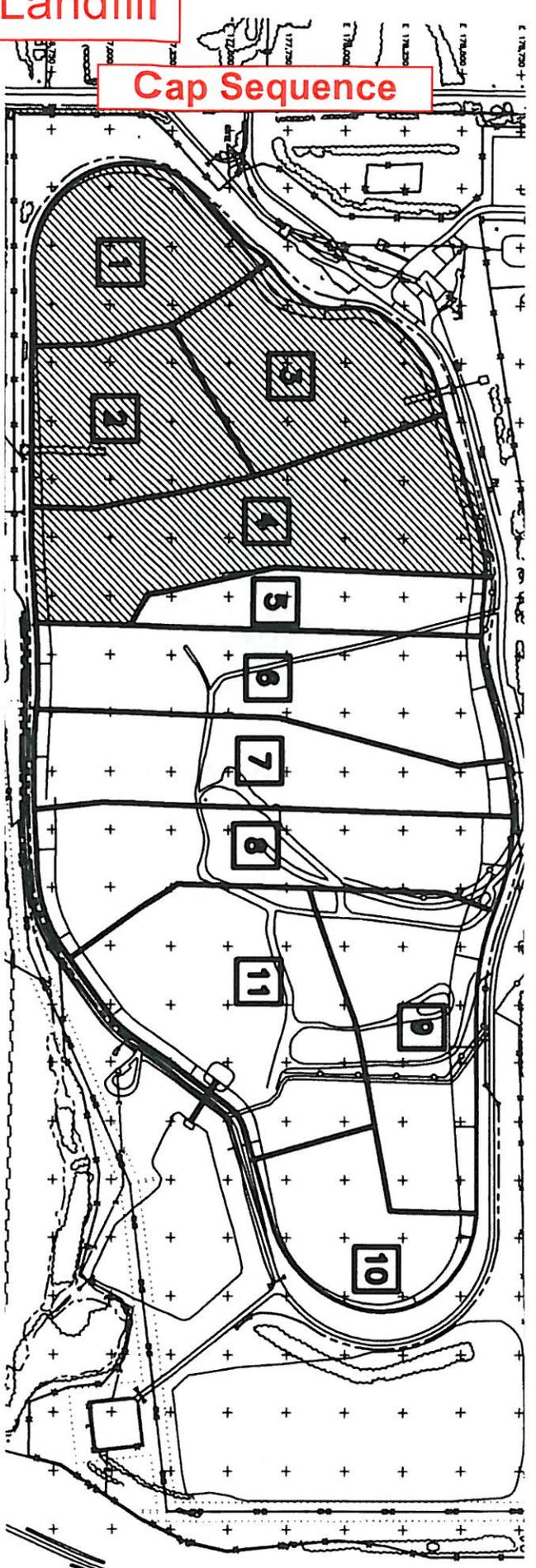


Bluff Road Landfill

Liner Sequence



Cap Sequence



* Amounts are in thousands of dollars

Public Works/Utilities - Wastewater

Project Title	2016/2017	2017/2018	2018/2019	2019/2020	2020/2021	2021/2022	Total
0173 Wastewater cost of street construction (GSI)	42.00	43.00	44.00	45.00	45.00	45.00	\$264.0
0223 Preliminary Design & Engineering (GSI)	42.00	43.00	44.00	45.00	45.00	45.00	\$264.0
0278 Facilities Plan Update (GSI)	0.00	0.00	300.00	0.00	0.00	0.00	\$300.0
0808 Replace Laboratory Information Management	100.00	0.00	0.00	0.00	0.00	0.00	\$100.0
0815 WW Share of New Water Meters	126.00	130.00	134.00	138.00	142.00	147.00	\$817.0
0816 WW Share of Water Meter Replacement	493.00	508.00	523.00	539.00	555.00	572.00	\$3,190.0
0853 Sump Pump Program	25.00	25.00	25.00	25.00	25.00	25.00	\$150.0
0855 WW Treatment Share of Asset Management Software	90.00	0.00	0.00	0.00	0.00	0.00	\$90.0
0856 WW Collections Share of Asset Management Software	90.00	0.00	0.00	0.00	0.00	0.00	\$90.0
0813 SCADA Software Upgrade	0.00	300.00	0.00	0.00	0.00	0.00	\$300.0
0737 Replace C-6, C-7,C-13 Liftstation Components	80.00	0.00	0.00	0.00	0.00	0.00	\$80.0
0281 Selected repair/repl of WW fac/collectors	1,800.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	\$11,800.0
0721 Subsidies(GSI)	50.00	50.00	50.00	50.00	50.00	50.00	\$300.0
0619 Repair 48" Sewer Pioneers to "O" St (SV)	0.00	0.00	0.00	350.00	1,000.00	1,000.00	\$2,350.0
0323 Westside Odor Control Improvements (TSTP)	0.00	200.00	2,000.00	2,000.00	0.00	0.00	\$4,200.0
0561 Influent Pumping Upgrades (TSTP)	0.00	1,200.00	0.00	0.00	0.00	0.00	\$1,200.0
0722 NPDES Nutrient Removal Study	0.00	0.00	0.00	0.00	4,000.00	15,000.00	\$19,000.0
0723 Bar Screen Replacement TSTP	1,750.00	0.00	0.00	0.00	0.00	0.00	\$1,750.0
0725 Security Gate at South Entrance TSTP	100.00	0.00	0.00	0.00	0.00	0.00	\$100.0
0727 SCADA/PLC Upgrades	250.00	0.00	0.00	0.00	0.00	0.00	\$250.0
0728 Solids Handling Improvements (Thickening)	1,000.00	0.00	0.00	0.00	0.00	0.00	\$1,000.0
0729 Solids Handling Improvements -Digestion	1,000.00	0.00	0.00	0.00	0.00	0.00	\$1,000.0

* Amounts are in thousands of dollars

		2016/2017	2017/2018	2018/2019	2019/2020	2020/2021	2021/2022	Total
0730	Digester Boiler Installation	0.00	500.00	0.00	0.00	0.00	0.00	\$500.0
0731	Liquid Dumpstation Improvements	0.00	750.00	0.00	0.00	0.00	0.00	\$750.0
0818	Biogas to Vehicle Fuel Renewable Energy Project	500.00	2,500.00	2,500.00	2,000.00	0.00	0.00	\$7,500.0
0819	UV Disinfection Improvements - Theresa	0.00	150.00	1,500.00	0.00	0.00	0.00	\$1,650.0
0821	Odor Chemical Feed System Improvements - TSTP	150.00	0.00	0.00	0.00	0.00	0.00	\$150.0
0822	Grit Classifier Improvements - Theresa Street WWTF	400.00	0.00	0.00	0.00	0.00	0.00	\$400.0
0823	A3 Elevator Replacement Theresa Street WWTF	150.00	0.00	0.00	0.00	0.00	0.00	\$150.0
0470	Emergency Generator Installation (NETP)	150.00	750.00	0.00	0.00	0.00	0.00	\$900.0
0732	NPDES Nutrient Removal Study, design, construct	0.00	0.00	0.00	200.00	0.00	1,000.00	\$1,200.0
0733	Odor Control Chemical Feed System Replacement	50.00	0.00	0.00	0.00	0.00	0.00	\$50.0
0736	Replace Two Raw-wastewater Pumps	0.00	650.00	650.00	0.00	0.00	0.00	\$1,300.0
0817	NE WWTF Solids Handling Improvements	250.00	2,500.00	2,000.00	0.00	0.00	0.00	\$4,750.0
0820	UV Disinfection Improvements - Northeast	0.00	0.00	0.00	100.00	1,000.00	0.00	\$1,100.0
0829	Methane Gas Storage NETP	275.00	0.00	0.00	0.00	0.00	0.00	\$275.0
0566	Wastewater Construction Projects for New Growth	500.00	500.00	1,000.00	2,000.00	2,000.00	2,000.00	\$8,000.0
0826	Salt Creek Sanitary Trunk Sewer	0.00	0.00	0.00	0.00	0.00	250.00	\$250.0
0617	Trunk Sewer SW Salt Creek (SW Village) (SV)	0.00	0.00	500.00	2,550.00	2,550.00	0.00	\$5,600.0
0824	Oak Creek Sanitary Trunk Sewer	0.00	0.00	0.00	0.00	0.00	2,900.00	\$2,900.0
0825	Beal Slough Sanitary Trunk Sewer	2,350.00	2,800.00	0.00	0.00	0.00	0.00	\$5,150.0
0827	Stevens Creek Sanitary Trunk Sewer	0.00	250.00	7,000.00	0.00	0.00	0.00	\$7,250.0
0828	West A Sanitary Trunk Sewer	500.00	0.00	0.00	0.00	0.00	0.00	\$500.0
Department Totals:		12,313.00	15,849.00	20,270.00	12,042.00	13,412.00	25,034.00	\$98,920.0

* Amounts are in thousands of dollars

Funding Sources

Fund Source	2016/2017	2017/2018	2018/2019	2019/2020	2020/2021	2021/2022	Total
Impact Fee Revenues	\$0.0	\$350.0	\$400.0	\$450.0	\$500.0	\$500.0	\$2,200.0
Revenue Bonds	\$0.0	\$7,400.0	\$8,650.0	\$0.0	\$0.0	\$10,000.0	\$26,050.0
Utility Revenues	\$12,313.0	\$8,099.0	\$11,220.0	\$11,592.0	\$12,912.0	\$14,534.0	\$70,670.0
	\$12,313.0	\$15,849.0	\$20,270.0	\$12,042.0	\$13,412.0	\$25,034.0	\$98,920.0

This page left blank intentionally.

* Amounts are in thousands of dollars

Public Works/Utilities - Solid Waste Operations

Project Title	2016/2017	2017/2018	2018/2019	2019/2020	2020/2021	2021/2022	Total
0252 Leachate Management Facilities-Bluff Road Landfill	250.00	750.00	0.00	0.00	0.00	0.00	\$1,000.0
0254 Permitting-Bluff Road Landfill	700.00	0.00	0.00	0.00	150.00	0.00	\$850.0
0256 Facility Improvements-Bluff Road Landfill	370.00	150.00	475.00	225.00	225.00	225.00	\$1,670.0
0442 Land Acquisition/Soil Purchases-Bluff Road	100.00	100.00	100.00	100.00	100.00	100.00	\$600.0
0646 Screening/Litter Control-Bluff Road Landfill	250.00	0.00	0.00	0.00	0.00	0.00	\$250.0
0849 Asset Management System	90.00	0.00	0.00	0.00	0.00	0.00	\$90.0
0850 Engineering Support - MSW Landfill Program	55.00	100.00	25.00	25.00	35.00	35.00	\$275.0
0643 Liner/Leachate System -Bluff Road Landfill	0.00	0.00	0.00	4,500.00	0.00	0.00	\$4,500.0
0250 Final Cap/Gas System - Bluff Road Landfill	0.00	0.00	0.00	2,000.00	0.00	0.00	\$2,000.0
0263 Closure/End Use of North 48th Street Landfill	0.00	0.00	175.00	175.00	175.00	0.00	\$525.0
0272 Permitting-Construction/Demolition Waste Landfill	150.00	0.00	0.00	0.00	85.00	0.00	\$235.0
0273 Air Emission Testing-North 48th Street Landfill	0.00	0.00	0.00	35.00	0.00	0.00	\$35.0
0275 Recycling Drop-Off Sites - Improvements	9.00	0.00	10.00	0.00	0.00	0.00	\$19.0
0277 Compost Site-Improvements & Enhancements	75.00	60.00	0.00	60.00	0.00	60.00	\$255.0
0593 Transfer Station & HHW/CESQG Collection	500.00	350.00	0.00	0.00	0.00	0.00	\$850.0
0772 Recycling Drop-Off Sites (new locations)	0.00	60.00	0.00	0.00	100.00	0.00	\$160.0
0773 Solid Waste Management Plan/Updates-Implementatio	200.00	0.00	0.00	250.00	0.00	0.00	\$450.0
0776 Final Cover-Construction/Demoliti	0.00	0.00	0.00	0.00	475.00	0.00	\$475.0
0777 Scale Replacement/Asphalt Road Improvements	0.00	0.00	0.00	350.00	0.00	0.00	\$350.0
0851 Engineering Support - Solid Waste Programs	35.00	65.00	15.00	15.00	15.00	15.00	\$160.0
0852 Gas System Expansion and Improvements	720.00	465.00	465.00	495.00	115.00	145.00	\$2,405.0
Department Totals:	3,504.00	2,100.00	1,265.00	8,230.00	1,475.00	580.00	\$17,154.0

* Amounts are in thousands of dollars

Funding Sources

Fund Source	2016/2017	2017/2018	2018/2019	2019/2020	2020/2021	2021/2022	Total
Landfill Revenue	\$1,815.0	\$1,100.0	\$600.0	\$350.0	\$510.0	\$360.0	\$4,735.0
Revenue Bonds	\$0.0	\$0.0	\$0.0	\$6,500.0	\$0.0	\$0.0	\$6,500.0
Solid Waste Occupation Tax	\$1,689.0	\$1,000.0	\$665.0	\$1,380.0	\$965.0	\$220.0	\$5,919.0
	\$3,504.0	\$2,100.0	\$1,265.0	\$8,230.0	\$1,475.0	\$580.0	\$17,154.0

* Amounts are in thousands of dollars

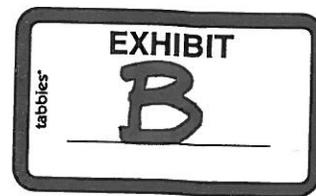
Public Works/Utilities - Water

Project Title		2016/2017	2017/2018	2018/2019	2019/2020	2020/2021	2021/2022	Total
0797	Infrastructure - Water Structures	100.00	200.00	100.00	100.00	1,100.00	0.00	\$1,600.0
0006	Water Security Upgrade	100.00	200.00	200.00	200.00	50.00	50.00	\$800.0
0007	Water Facilities Master Plan	0.00	400.00	0.00	0.00	0.00	0.00	\$400.0
0008	Water Preliminary Design & Engineering Support	25.00	25.00	50.00	50.00	100.00	100.00	\$350.0
0758	Water General System Improvements	250.00	1,400.00	250.00	700.00	1,050.00	100.00	\$3,750.0
0798	New Water Pumping, Storage & Transmission	4,000.00	0.00	1,240.00	3,800.00	0.00	11,700.00	\$20,740.0
0011	Infrastructure - Raw Water Supply	0.00	600.00	300.00	800.00	400.00	400.00	\$2,500.0
0756	New Source of Water Supply	650.00	0.00	3,100.00	1,000.00	1,000.00	1,000.00	\$6,750.0
0760	New Water Supply Wells	10,000.00	0.00	500.00	0.00	0.00	0.00	\$10,500.0
0757	Infrastructure - Water Pumping, Storage & Trans.	1,550.00	900.00	500.00	2,750.00	1,000.00	200.00	\$6,900.0
0565	Water Mains and Meters-Locations To Be	1,735.00	2,640.00	2,245.00	1,700.00	8,505.00	1,560.00	\$18,385.0
0799	Water Distribution System Improvements	500.00	275.00	350.00	2,250.00	1,300.00	200.00	\$4,875.0
0043	Water Distribution Mains - Area 1	0.00	2,400.00	600.00	0.00	0.00	0.00	\$3,000.0
0044	Water Distribution Mains - Area 2	300.00	0.00	100.00	1,400.00	0.00	0.00	\$1,800.0
0046	Water Distribution Mains - Area 4	700.00	0.00	0.00	0.00	0.00	0.00	\$700.0
0048	Water Distribution Mains - Area 6	0.00	500.00	0.00	0.00	0.00	0.00	\$500.0
0049	Water Distribution Mains - Area 7	0.00	550.00	0.00	0.00	0.00	0.00	\$550.0
0039	Water System Reimbursement to	250.00	250.00	300.00	300.00	350.00	350.00	\$1,800.0
0040	Water System Reimbursement to Street	500.00	500.00	100.00	100.00	100.00	100.00	\$1,400.0
0031	Infrastructure - Water Mains and Meters	6,030.00	6,895.00	8,410.00	8,930.00	9,300.00	9,665.00	\$49,230.0
0796	Infrastructure - Water Treatment, HS Pump &	0.00	500.00	1,600.00	100.00	0.00	0.00	\$2,200.0
Department Totals:		26,690.00	18,235.00	19,945.00	24,180.00	24,255.00	25,425.00	\$138,730.0

* Amounts are in thousands of dollars

Funding Sources

Fund Source	2016/2017	2017/2018	2018/2019	2019/2020	2020/2021	2021/2022	Total
Community Improvement Financing	\$0.0	\$0.0	\$1,240.0	\$0.0	\$0.0	\$0.0	\$1,240.0
Impact Fee Revenues	\$1,850.0	\$350.0	\$350.0	\$1,050.0	\$350.0	\$350.0	\$4,300.0
Revenue Bonds	\$20,000.0	\$8,100.0	\$13,050.0	\$13,150.0	\$10,700.0	\$0.0	\$65,000.0
Utility Revenues	\$4,840.0	\$9,785.0	\$5,305.0	\$9,980.0	\$13,205.0	\$25,075.0	\$68,190.0
	\$26,690.0	\$18,235.0	\$19,945.0	\$24,180.0	\$24,255.0	\$25,425.0	\$138,730.0



INTERLOCAL AGREEMENT
ROKEBY ROAD PAVING, 84TH TO 98TH STREET

PARTIES TO AGREEMENT:
LINCOLN ELECTRIC SYSTEM
LANCASTER COUNTY, NEBRASKA
CITY OF LINCOLN, NEBRASKA

THIS INTERLOCAL AGREEMENT, made and entered into between the Lincoln Electric System, a publicly owned utility in the State of Nebraska, hereinafter referred to as "LES", Lancaster County, Nebraska, a political subdivision of the State of Nebraska, hereinafter referred to as the "County" and the City of Lincoln, Nebraska, a municipal corporation, hereinafter referred to as the "City", to provide for the construction of roadway improvements and paving on Rokeby Road between 84th Street and 98th Street in Lancaster County, Nebraska, hereinafter referred to as the "Project".

WITNESSETH:

WHEREAS, LES has implemented plans for the design and construction of a new operations center located at the southwest corner of South 98th and Rokeby Road to serve residents of the City of Lincoln and Lancaster County, and

WHEREAS, said LES facilities shall require access from Rokeby Road between 91st Street and 98th Street, and

WHEREAS, LES has a desire to have the roadway improvements and paving on Rokeby Road completed to facilitate access for the construction and future use of their new operations center, and

WHEREAS, the County has a desire to have this section of Rokeby Road improved and paved to enhance the reliability of the transportation system, perpetuate mobility of the travelling public and to promote the economic development of Lancaster County, and

WHEREAS, the County has included the improvement and paving of Rokeby Road between 84th Street and 98th Street in their One and Six Year Capital Improvement Plan, and

WHEREAS, the City has a desire to have this section of Rokeby Road improved and paved to enhance the reliability of the transportation system, perpetuate mobility of the travelling public and to promote the economic development of the City of Lincoln, and

WHEREAS, the County, City and LES agree to construct a two-lane concrete paved suburban roadway section with shoulders, raised median and open ditches as shown on Exhibit "A" to this agreement, and

WHEREAS, the County, City and LES agree that pedestrian facilities along the Project are to be completed in the future by the developer or City at the time the adjacent properties develop, and

WHEREAS, design of the project will be completed to comply with the City Access Management Policy and shall be compatible for expansion to provide a future City arterial street at the time the area is annexed into the City, and

WHEREAS, LES is willing to provide funding to allow Rokeby Road to be paved and improved to facilitate construction access to their new facilities located along Rokeby Road between 91st Street and 98th Street, and

WHEREAS, the County and City agree to allow LES to contract for the professional design, consultation and management services necessary for the design and management of the Rokeby Road Project through the consultant group that LES has retained for the design of their new operations center, and

WHEREAS, the County, City and LES agree that Lancaster County is the lead public agency for the project and that the County will obtain the necessary right-of-way and/or easements and permits for the project as well as provide oversight, review and final approval of plans and specifications prior to bidding the Project.

NOW THEREFORE, in consideration of these facts, the parties hereto agree as follows:
SECTION 1. LES hereby agrees to furnish, or cause to be furnished, the following items required to complete the project:

- A. Retain professional services for the design, survey and right-of-way design for the Project. Project design shall be completed to utilize City of Lincoln Standard Plans and to use the City of Lincoln Standard Specification for Municipal Construction as the governing standards for the project. All design shall meet or exceed the minimum requirements of the County and City.
- B. Prepare all permit applications as required for the project including a Corp of Engineer's Section 404 Permit and the required Notice of Intent for Construction Stormwater Discharge (NOI) for the Project.
- C. Coordinate with all regulatory agencies as required to secure the necessary permits for the Project.
- D. Retain professional services for the construction management, observation, inspection and testing required during construction of the Project.
- E. Provide reports, meeting invitations, progress reports, schedules and project updates to the County and City throughout the course of the Project.
- F. Provide funding for construction of the improvements on Rokeby Road.
- G. Develop a master schedule for completion of the design, bidding, award and construction of the Project. Solicit input from the County and City as part of the development of the schedule.
- H. Provide the County and City with progress prints for review and comments during the design of the Project.
- I. Provide the County and the City with draft Special Provisions for review and comments during the design of the Project.
- J. Provide final plans and Special Provisions to the County for final approval prior to bidding the Project.
- K. Assist the County as necessary during the bidding, review and award of the Project.

SECTION 2. The County hereby agrees to furnish, or cause to be furnished, the following items required to complete the project:

- A. Serve as the applicant on all permits required for the Project.
- B. Provide appraisal and negotiation services to acquire right-of-way and/or easements from private property owners that are needed to construct the Project.
- C. Serve as the reviewing agency for plans and specifications and provide the final approval of documents prior to bidding.
- D. Bid the Project through the County/City Purchasing Department.
- E. Review the bid proposals with LES and enter into a contract with the lowest responsible bidder to construct the Project.
- F. Coordinate the work with LES to ensure that construction of the Project accommodates the proposed schedule for work on the proposed LES Operations Center.

SECTION 3. The City hereby agrees to furnish, or cause to be furnished, the following items required to complete the project:

- A. Review and provide comments on plan and specification submittals.
- B. Attend progress and review meetings at their discretion to provide comments and input on the project.
- C. Provide plans for proposed design of the new roundabout at 84th Street and Rokeby Road to LES's consultant. Coordinate the design of the new roundabout with the design for the Project.
- D. Coordinate the design for new water mains and sanitary sewers along Rokeby Road between 84th Street and 98th Street with the Project.
- E. Coordinate improvements on Rokeby Road to the west of 84th Street with the Project.

SECTION 4. LES agrees to furnish funds to the County within 15 days following an award of a construction contract by the County in an amount equal to the total bid price of the lowest responsible bidder for the Project.

SECTION 5. LES agrees to reimburse the County directly for additional costs associated with change orders that have been mutually agreed upon by both the County and LES that may occur during the construction of the project.

SECTION 6. At the completion and final acceptance of the Project, the County shall provide a final accounting of construction costs for the Project and submit the report to LES for their review and concurrence. Any underruns in project costs that have been pre-funded by LES shall be refunded by the County to LES within 30 days of acceptance of the final project accounting by the County and LES. Any overruns that have not been previously funded by LES as part of approved change orders to the contract shall be invoiced to LES by the County. LES shall pay the County for additional costs within 30 days of receipt of the invoice.

SECTION 7. It is the desire of all parties to work together to complete the design and bidding of the Project to allow construction to commence in late summer of 2016 with the initial roadway improvements completed between 84th Street and 91st Street by December 31, 2016. The remaining portion of the Project shall be completed and open to public traffic no later than October 31, 2017 unless otherwise agreed upon by all parties to this agreement.

SECTION 8. All parties agree that construction of the Project will require closure of Rokeby Road between 84th Street and 98th Street and traffic shall be detoured during construction of the Project. The contract documents shall provide provisions requiring the Contractor to maintain access to adjacent properties as required by the County.

SECTION 9. It is the express intent of the parties that this Agreement shall not create an employer-employee relationship. Employees of a party shall not be deemed to be employees of the other parties. The parties shall be responsible to their respective employees for all salary and benefits. The employees of a party shall not be entitled to any salary or wages from the other parties or to any benefits made to their employees, including, but not limited to, overtime, vacation, retirement benefits, workers' compensation, sick leave, or injury leave. Each party shall also be responsible for maintaining workers' compensation insurance, unemployment

insurance for its employees, and for payment of all federal, state, local, and any other payroll taxes with respect to its employees' compensation.

SECTION 10. Each party agrees to indemnify and hold harmless, to the fullest extent allowed by law, the other parties and their principals, officers, and employees from and against all claims, demands, suits, actions, payments, liabilities, judgments and expenses (including court-ordered attorneys' fees) resulting from or arising out of the acts or omissions of its principals, officer, or employees in performance of this Agreement. Liability includes any claims, damages, losses, and expenses arising out of or resulting from performance of this Agreement that results in any claim for damage whatsoever including any bodily injury, civil rights liability, sickness, disease, or damage to or destruction of tangible property, including the loss of use resulting therefrom. Further, each party shall, at its own expense, maintain a policy or policies of insurance (or a self-insurance program), sufficient in amount and coverage to pay any judgments or related expenses from or in conjunction with any such claims. Nothing in this Agreement shall require any party to indemnify or hold harmless the other parties from liability for the negligent or wrongful acts or omissions of said other parties or their principals, officers or employees.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed by their proper officials thereunto duly authorized as of the dates below indicated.

EXECUTED by the County this ____ day of _____, 2016.

ATTEST: Lancaster County

Roma Amundson, County Board Chairperson

STATE OF NEBRASKA)
) ss
COUNTY OF LANCASTER)

The foregoing instrument was acknowledged before me this ____ day of ____, 2016 by Roma Amundson, the Chairperson of the Lancaster County Board, a body politic in the State of Nebraska, on behalf of the County.

EXECUTED by the City this ____ day of _____, 2016.

Notary

EXECUTED by the Clty this ____ day of _____, 2016.

ATTEST:

City of Lincoln

City Clerk

Chris Beutler, Mayor

STATE OF NEBRASKA)
) ss
COUNTY OF LANCASTER)

The foregoing instrument was acknowledged before me this ____ day of _____, 2016 by Chris Beutler, Mayor of the City of Lincoln, Nebraska, a municipal corporation, on behalf of the City.

Notary

EXECUTED by LES this ____ day of _____, 2016.

ATTEST:

Lincoln Electric System

City Clerk

Kevin Wailes, Chief Executive Officer

STATE OF NEBRASKA)
) ss
COUNTY OF LANCASTER)

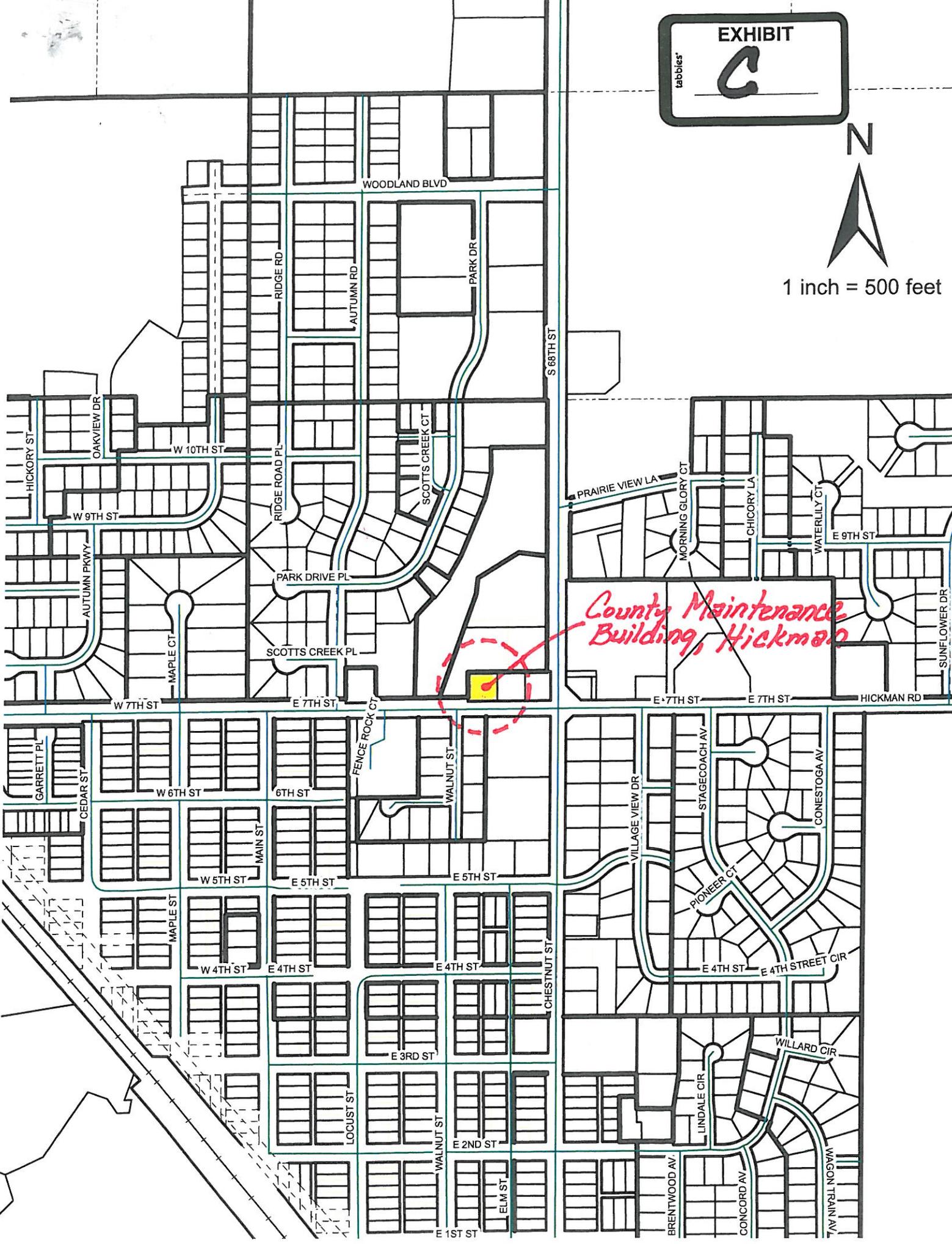
The foregoing instrument was acknowledged before me this ____ day of _____, 2016 by Kevin Wailes Chief Executive Officer of the Lincoln Electric System, a public utility in the State of Nebraska, on behalf of LES.

Notary

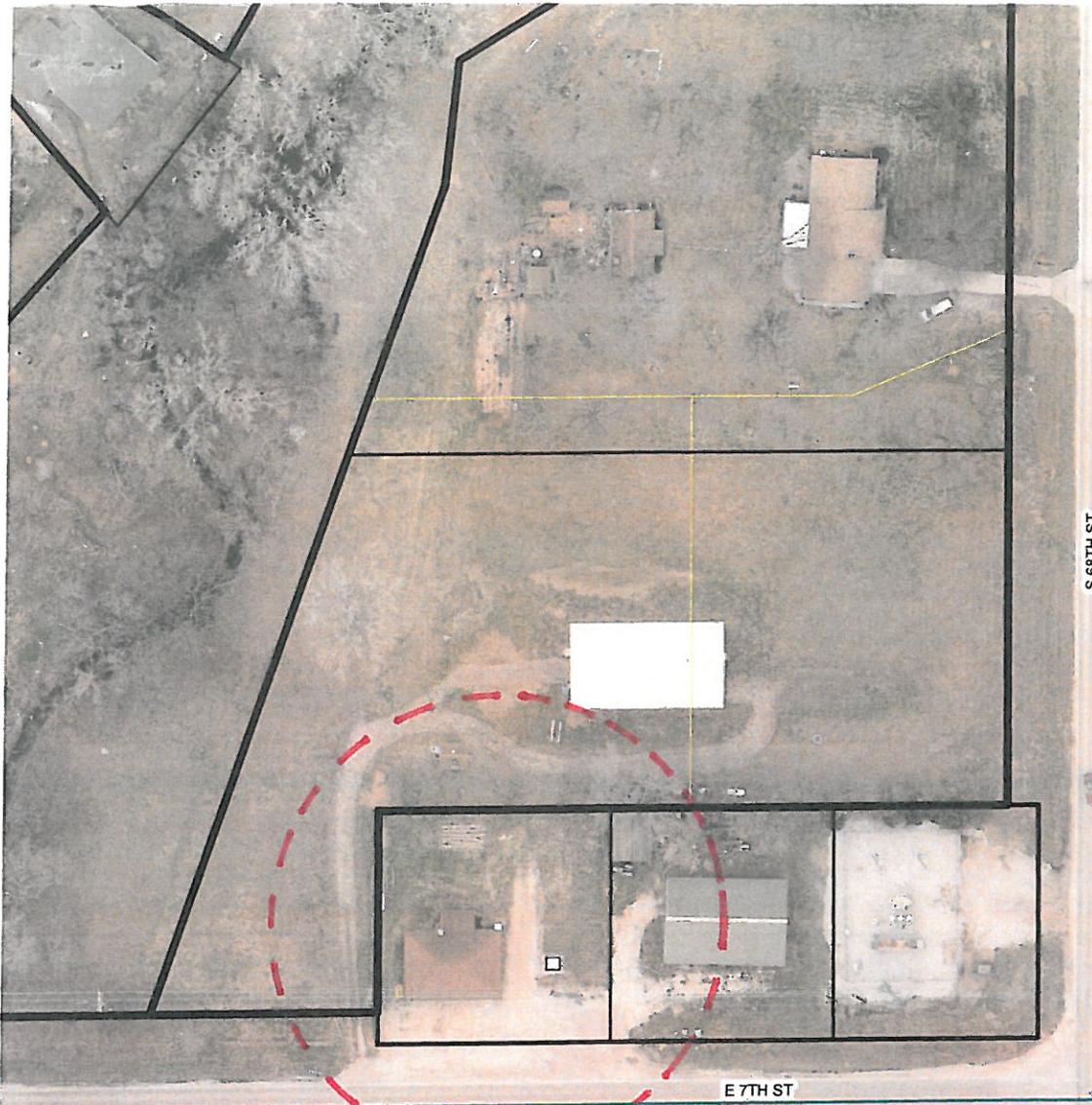
EXHIBIT
C



1 inch = 500 feet



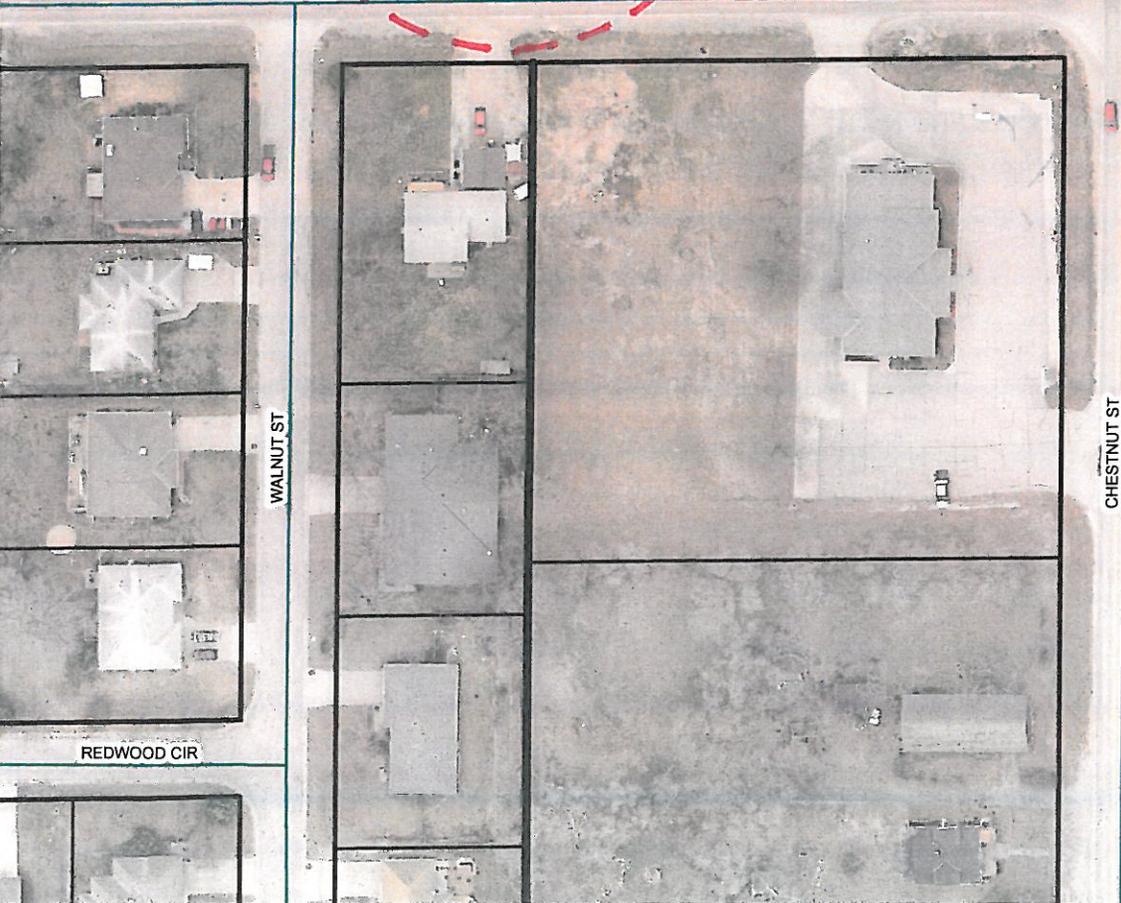
County Maintenance Building, Hickman



S 68TH ST



1 inch = 100 feet

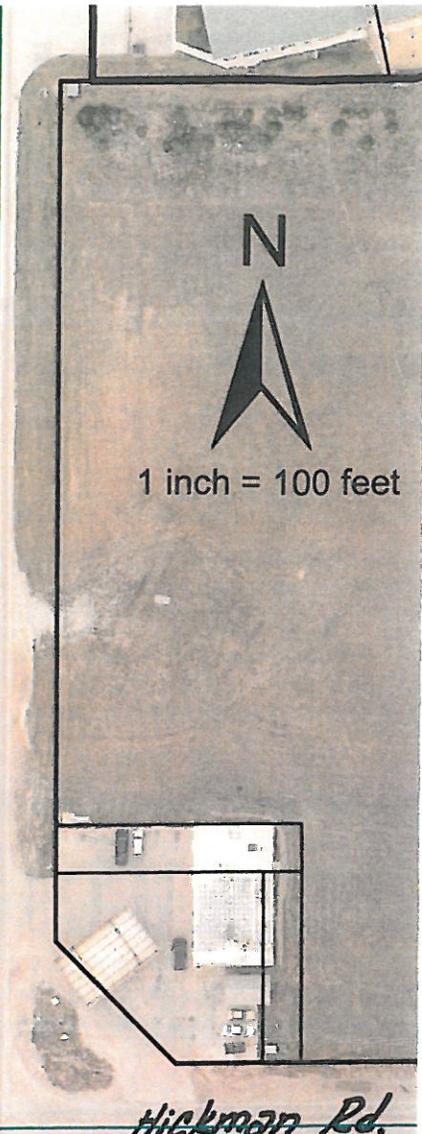


E 7TH ST

WALNUT ST

CHESTNUT ST

REDWOOD CIR



Hickman Rd.

Giving Parents a Voice:

A Case Study of a Family Treatment Drug Court Track in Lancaster County, Nebraska

Roger J. Heideman, Jennie Cole-Mossman, Lori Hoetger & Katherine Hazen

Family drug courts (FDCs) were first established in 1994 as one judge's response to substance abuse in the majority of his dependency-court cases.¹ Since then, hundreds of similar specialized dependency courts have been established around the country. FDCs are based on an adult-drug-court model established in response to the apparent revolving door of drug offenders in criminal court. Drug courts and other problem-solving courts seek to identify the social and psychological dysfunction that brought the individuals before the court. Problem-solving-court judges adopt therapeutic jurisprudence to assess the dysfunction, prescribe appropriate services, and provide support, encouragement, and accountability. Procedural justice, characterized by judicial leadership and participant autonomy, is one of the psychological tools used to successfully adopt therapeutic jurisprudence. Successful problem-solving courts rely on judicial leadership for the network of providers and to engage with the participants. Additionally, the voluntary nature of problem-solving courts ensures participants are given autonomy and allowed to exercise voice and control in the process.

In this article, we explore the successes and struggles of one family drug court, the Family Treatment Drug Court (FTDC) Track, in Lancaster County, Nebraska. The FTDC Track developed out of a voluntary FTDC initiated by a Lancaster County juvenile-court judge with grant funding. Funding from Project Safe Start—Nebraska was used to train court personnel (including a Department of Health and Human Services case manager dedicated to the FTDC), provide Child Parent Psychotherapy to families, and ensure parents on the Track were able to get immediate treatment placement through an agreement made with a local residential treatment facility. At the termination of the grant, the Lancaster County FTDC no longer had any incentive to offer participants, and the court had difficulty enrolling parents. Judge Roger Heideman, the first author and a Lancaster County juvenile-court judge, decided to create a mandatory Family Treatment Drug Court Track. Any families with allegations of child abuse or neglect related to substance use or abuse by a parent are assigned to Judge Heideman's docket, ordered to participate in the FTDC Track in the dispositional order, and receive specialized services, more frequent

meetings, and more supervision and accountability.²

An independent evaluation, including case-file reviews and parent interviews, demonstrates that the mandatory nature of the FTDC Track has not negatively impacted perceptions of fairness. Forty-two cases have been assigned to the FTDC Track since it began in early 2014. Parents report that they feel the process of getting their children returned to them is fair and that they can be open and honest in team meetings. Additionally, parents on the FTDC Track report that they receive praise from the judge more than do families not on the Track. Though the FTDC Track is mandatory, parents on the FTDC Track indicate that they feel they have a voice in the dependency-court process.

This article will first discuss the goals and tools of problem-solving courts, specifically the role of the judge in implementing therapeutic jurisprudence through the use of procedural-justice principles. Next, it will discuss the development of family drug courts and how the FTDC Track was started and developed in Lancaster County. The goals and methods of the FTDC Track will be presented, along with the results of an ongoing evaluation of the FTDC Track. Finally, the article will conclude with an in-depth discussion of the evolution of the FTDC Track, emphasizing the issues faced, solutions implemented, and lessons learned. Though problem-solving courts are usually voluntary, the experience in the FTDC Track demonstrates that there are alternative ways to give participants voice in a mandatory program.

PROCEDURAL JUSTICE IN PROBLEM-SOLVING COURTS

Problem-solving courts seek to identify and address the psychological and social issues that bring individuals before the court, including drug addiction, mental illness, and domestic violence. Juvenile court, first established in Illinois in 1899,³ is often considered the first problem-solving court.⁴ Each day, dependency-court judges consider issues of permanency case by case, based on the issues facing each family. Judges consider whether parents are suffering from mental illness, substance abuse, or other relevant issues and determine what will best address those needs, including treatment, vocational training, parenting classes, and other rehabilitative services. More

Footnotes

1. José B. Ashford, *Comparing the Effects of Judicial Versus Child Protective Service Relationships on Parental Attitudes in the Juvenile Dependency Process*, 16 RES. SOC. WORK PRAC. 582 (2006).
2. The court administrator examines all petitions filed in Lancaster County Juvenile Court for allegations of child abuse and neglect that include substance abuse by a parent. This may include an allegation that the child is placed at risk of harm due to the parent's substance abuse or information included in a supporting affidavit that indicates a parent's substance abuse contributed to the allegations.
3. Marvin Ventrell, *Evolution of the Dependency Component of the Juvenile Court*, 49 JUV. & FAM. CT. J. 17, 17 (1998).
4. Cindy S. Lederman, *The Marriage of Science and the Law in Child Welfare Cases*, in PROBLEM SOLVING COURTS 23, 25 (Richard L. Wiener & Eve M. Brank eds., 2013).



MAKING BETTER JUDGES™

THROUGH THE PRESENTATION OF WHITE PAPERS
ADDRESSING KEY ISSUES OF INTEREST TO JUDGES

≈

Procedural Fairness: A Key Ingredient in Public Satisfaction

Approved by the AJA 2007
<http://goo.gl/a1CYT>

≈

The Debate over the Selection and Retention of Judges: How Judges Can Ride the Wave

Approved by the AJA 2011
<http://goo.gl/98IGN>

≈

Minding the Court: Enhancing the Decision-Making Process

Approved by the AJA 2012
<http://goo.gl/F7NxE>

≈

The Judge Is the Key Component: The Importance of Procedural Fairness in Drug-Treatment Courts

Approved by the AJA 2015
Published in this issue (pp. 8-34)



CourtCall
Remote Appearances. Simplified.

Bring your court into the 21st century.

(888) 882-6878 · CourtCall.com



Remote Appearances. Simplified.

CourtCall's Remote Appearance Platform provides judges, court staff and litigants with efficient, organized and reliable technology services for worry-free remote court appearances.

AUDIO AND VIDEO

A custom-developed video solution is available as an optional enhancement to CourtCall's pioneering audio platform

SAVE TIME. SAVE MONEY.

CourtCall helps the legal community save millions of dollars by improving case flow and reducing costly travel

EXPANDING ACCESS TO JUSTICE

Available for litigants, witnesses, experts and other parties in thousands of courtrooms across the United States and Canada

CIVIL · FAMILY · PROBATE · CRIMINAL · BANKRUPTCY · WORKERS' COMPENSATION · ADR

recently, judges in adult court have also looked beyond the traditional legal goals of the criminal-justice system to address the revolving door of nonviolent offenses.⁵ Drug courts,⁶ mental-health courts,⁷ and domestic-violence courts⁸ seeking to address this concern have been established across the country. Specialized dependency courts have also begun to focus on the specific issues facing families, establishing family drug courts and family domestic-violence courts.

Like traditional dependency courts, problem-solving courts and specialized dependency courts should be based on the principles of therapeutic jurisprudence to address the psychological and social causes of crime.⁹ Therapeutic jurisprudence is a change in jurisprudential practice that incorporates social science into the legal system and recognizes the (often negative) impact the law and legal actors can have on an individual.¹⁰ The judge acts as a therapeutic agent by assessing the social and psychological malfunctions of the defendant, prescribing services to address those malfunctions, and providing social support through listening and accountability to promote compliance.¹¹ Therapeutic jurisprudence provides judges insight into what they need to know and do to be successful through psychological principles.

Procedural justice is among the tools and principles available for successful application of therapeutic jurisprudence.¹² As discussed in this article, “procedural justice” refers to the evaluation of formal decision-making procedures as fair and unbiased.¹³ The fair-process effect demonstrates that when individuals are allowed to present their side of the story, they are more satisfied with the outcome and the experience.¹⁴ Fair process has been operationalized in the research as providing participants the opportunity to express their preferences.¹⁵ Through a variety of mechanisms, evaluations of fair process and satisfaction with the process predict compliance with the outcome, such as the court order.¹⁶ As a tool of therapeutic

jurisprudence, judges in problem-solving courts employ the principles of procedural justice by actively listening to participants’ needs and concerns.¹⁷

Judicial leadership is key to successfully implementing problem-solving courts with therapeutic jurisprudence and procedural justice.¹⁸ Participants receive signals related to procedural justice from the judge. The judge’s therapeutic actions, including active listening, oversight, and engagement, communicate to participants that their preferences and needs are heard, valued, and respected, and that someone else cares about the outcome of their case.¹⁹ When judges take the time to listen to the court participants’ successes and struggles, as problem-solving-court judges do, participants experience and evaluate the whole process differently, as more just and fair. The just-and-fair evaluation increases the likelihood the participants will engage in services, comply with court orders, and be successfully discharged from the court.

Traditionally, respect for participant autonomy and expression of preferences are considered central to ensuring therapeutic jurisprudence and procedural justice. Problem-solving-court judges should seek to avoid paternalism and allow participants to decide for themselves if they want treatment and the other benefits that go along with participation or if they would rather address the charges in a traditional court.²⁰ The voluntary nature of problem-solving courts is thought to provide for self-determination and choice, which are central to psychological health.²¹ Additionally, it allows participants to

Judicial leadership is key to successfully implementing problem-solving courts with therapeutic jurisprudence and procedural justice.

5. Richard L. Wiener, Bruce J. Winick, Leah Skovran Georges & Anthony Castro, *A Testable Theory of Problem Solving Courts: Avoiding Past Empirical and Legal Failures*, 33 INT’L J. L. & PSYCHIATRY 417, 419-20 (2010).
6. See Office of Justice Programs National Institute of Justice, *Drug Courts*, <http://www.nij.gov/topics/courts/drug-courts/pages/welcome.aspx>; David B. Wilson, Ojmarrah Mitchell & Doris L. Mackenzie, *A Systematic Review of Drug Court Effects on Recidivism*, 2 J. EXPERIMENTAL CRIMINOLOGY 459 (2006).
7. See THE COUNCIL OF STATE GOVERNMENTS JUSTICE CENTER, *MENTAL HEALTH COURT: A PRIMER FOR POLICYMAKERS AND PRACTITIONERS* (2008).
8. See Department of Justice National Institute of Justice, *Domestic Violence Courts*, <http://www.nij.gov/topics/courts/domestic-violence-courts/pages/welcome.aspx>.
9. See Bruce J. Winick, *Applying the Law Therapeutically in Domestic Violence Cases*, 69 UMKC L. REV. 33 (2000); Bruce J. Winick, *Therapeutic Jurisprudence and Problem Solving Courts*, 30 FORDHAM URB. L.J. 1055 (2003); Lederman, *supra* note 4.
10. Bruce J. Winick, *The Jurisprudence of Therapeutic Jurisprudence*, 3 PSYCHOL. PUB. POL’Y & L. 184, 185 (1997).
11. Winick, *supra* note 9, at 1066-89.
12. *Id.* at 1088-89.
13. Wiener et al., *supra* note 5, at 422.
14. John Thibaut & Laurens Walker, *A Theory of Procedure*, 66 CAL. L. REV. 541, 547-52 (1978); Tom R. Tyler & Robert Folger, *Distributive and Procedural Aspects of Satisfaction with Citizen-Police Encounters*, 1 BASIC APPL. SOC. PSYCHOL. 281 (1980).
15. Robert Folger, David Rosenfield, Janet Grove & Louise Corkran, *Effects of “Voice” and Peer Opinions on Responses to Inequity*, 37 J. PERS. SOC. PSYCHOL. 2253 (1979).
16. Norman G. Poythress, Joe Schumacher, Richard Wiener & Mary Murrin, *Procedural Justice Judgments of Alternative Procedures for Resolving Medical Malpractice Claims*, J. APPL. SOC. PSYCHOL. 1639 (1993); Norman G. Poythress, *Procedural Preferences, Perceptions of Fairness, and Compliance with Outcomes: A Study of Alternatives to the Standard Adversary Trial Procedures*, 18 LAW & HUM. BEHAV. 361 (1994).
17. Winick, *supra* note 9, at 1088-89.
18. Brian MacKenzie, *The Judge Is the Key Component: The Importance of Procedural Fairness in Drug-Treatment Courts*, 52 CT. REV. 8 (2016); Sophia I. Gatowski, Shirley A. Dobbin & Alicia Summers, *Exploring the Value-Added of Specialized Problem-Solving Court for Dependency Cases*, in *PROBLEM SOLVING COURTS* 33, 37-38 (Richard L. Wiener & Eve M. Brank eds., 2013).
19. See Wiener et al. *supra* note 5; Gatowski, *supra* note 18.
20. Winick, *supra* note 9, at 1071-78.
21. *Id.* at 1072.

Problem-solving courts can help improve outcomes for vulnerable children involved in dependency cases.

express their preferences or exercise voice and gives participants some process control, two of the central features of procedural justice. It is important for the psychosocial well-being of the participants and their perceptions of and engagement in the process that participants do not feel coerced into treatment. Problem-solving courts are thought to achieve the goals of

therapeutic jurisprudence and procedural justice in part through their voluntary nature.

Problem-solving courts generally aim to address a particular population or problem in the court system. One population that is particularly vulnerable is abused and neglected children. Problem-solving courts can help improve outcomes for vulnerable children involved in dependency cases. Family drug courts developed to address cases where children are removed from their parents' care due to substance-abuse issues.

FAMILY DRUG COURTS

Judge Charles McGee implemented the first family drug court in 1994 as a response to observing that a large majority of cases on his dependency-court docket involved substance abuse.²² In the more than 20 years since then, over 300 jurisdictions have established such programs.²³ FDCs were adapted from the adult-criminal-drug-court model with an emphasis on individualized services and substance-abuse treatment.²⁴ The general FDC model stresses the importance of coordinating substance-abuse treatment with child protective services. Parents are presented with the option to voluntarily enroll in the FDC instead of participating in the traditional dependency-court docket. FDCs often involve more frequent hearings or meetings, escalating sanctions for infractions, and rewards for compliance and case progression.

An important aspect of FDCs is the relationship between the judge and the parents. In an FDC in Pima County, Arizona, the judge served a case-management function and was focused on providing parents with support in substance-abuse treatment. This may explain the findings that parents in the Pima County FDC perceived more trust and fairness in the judge than non-FDC parents perceived in their social worker.²⁵ These findings provide evidence that a judge highly involved in all aspects of the case can result in better perceptions of fairness by the parents.

For these reasons, Judge Linda Porter in Lancaster County, Nebraska, decided to implement an FDC with the aid of grants

from Project Safe Start–Nebraska and the Substance Abuse and Mental Health Services Administration (SAMHSA). The Project Safe Start grant, starting in 2010, intended to raise the bar for services for young children and their relationship with their parents, particularly in families with methamphetamine abuse. These grants enabled Judge Porter to establish a voluntary family-treatment drug court that followed the core tenets of family drug courts. The initial FTDC paid for Child Parent Psychotherapy, an evidence-based therapy that helps reestablish healthy parent-child relationships and was not paid for by Medicaid in Nebraska until more recently. In 2014, Judge Heideman assumed the role of the presiding judge of the FTDC. The families were provided with a specialized substance-abuse intake and a caseworker dedicated to the FTDC. In addition, families participated in monthly team meetings with the judge and more frequent review hearings than non-FTDC dependency cases.

The Lancaster County FTDC was entirely voluntary; parents who have substance abuse alleged in the petition were given the option of proceeding with the Lancaster County FTDC or with the traditional court system. Initially, the main incentive for participating in the Lancaster County FTDC was the immediate availability of treatment and payment for Child Parent Psychotherapy. A treatment provider in Lincoln, Nebraska, agreed to hold beds open for parents involved with the program. This meant that parents would be able to enter treatment immediately instead of having to be placed on a waiting list that could mean days or weeks before getting treatment. Once the grants that funded the initial Lancaster County FTDC ended, there was less incentive to participate in the additional hearings and team meetings. Very few parents chose to participate with the Lancaster County FTDC.²⁶

Families were not asked why they refused to participate. However, one hypothesis suggested by the team in Lancaster County is that there was not enough of an incentive to participate. In adult criminal drug court, the incentives are clear and very different from those defendants can receive in adult criminal court (e.g., expungement of record). But the incentives in Lancaster County FTDC did not differ from those in traditional dependency court. Parents who comply with court orders and complete a case plan in both FTDC and traditional dependency court will work toward reunification with their children and case closure. There were no immediately obvious benefits to participating in the Lancaster County FTDC, other than potentially pleasing the judge.

In early 2014, Judge Heideman decided to change the Family Treatment Drug Court from a voluntary program to a mandatory one. The program would retain many of the other tenets of the FTDC, except parents would not be presented with the choice to participate. This raised several concerns

22. Ashford, *supra* note 1, at 582.

23. WEST HUDDLESTON & DOUGLAS B. MARLOWE, PAINTING THE CURRENT PICTURE: A NATIONAL REPORT ON DRUG COURTS AND OTHER PROBLEM SOLVING COURT PROGRAMS IN THE UNITED STATES (2011), <http://www.ndci.org/sites/default/files/nadcp/PCP%20Report%20FINAL.PDF>

24. Meghan M. Wheeler & Carson L. Fox, Jr., *Family Dependency*

Treatment Court: Applying the Drug Court Model in Child Maltreatment Cases, 5 DRUG CT. PRAC. FACT SHEET 1 (2006).

25. Ashford, *supra* note 1, at 588.

26. Other studies on family-treatment drug courts report a refusal rate of approximately 56%. José B. Ashford, *Treating Substance-Abusing Parents: A Study of the Pima County Family Drug Court Approach*, 55 JUV. & FAM. CT. J. 27, 31 (2004).

about the program. For one, it was possible parents would be resistant to a mandatory track that included elements additional to the traditional dependency court. Also, the team was concerned that making the FTDC mandatory would fundamentally change the effectiveness of the program. The team decided to conduct an evaluation of the new program to determine if these concerns were warranted.

FAMILY TREATMENT DRUG COURT TRACK

The new program was renamed the Family Treatment Drug Court Track to reflect its mandatory nature. The FTDC Track was officially implemented in January 2014. The main goals of the FTDC Track include: establish a network of evidence-based service providers who have experience with substance abuse and can adequately serve families; provide ongoing support to parents; monitor families' growth and progress and acknowledge positive steps with praise; allow parents to assess their own strengths, weaknesses, and progress throughout the Track; and provide services for children to ensure healthy emotional and physical development through evidence-based practices. The main components of the FTDC Track are identification and selection of families, monthly team meetings, emergency team meetings as needed, 90-day review hearings, specialized trauma-informed substance-abuse and parenting services, and timely implementation of corrective measures.

Identification and Selection of Families

As stated above, the FTDC Track is mandatory for eligible families. The primary way families are identified as eligible for the FTDC Track is if parental substance abuse is identified in the affidavit supporting the removal of the children from the parents' care. This could include individuals who were on drugs or in possession of drugs while caring for their child or whose child tested positive for drugs at birth. These families are automatically placed on Judge Heideman's docket. Families are also identified as eligible if parental substance abuse is identified in the initial investigation by Child Protective Services or if parental substance abuse is identified following adjudication. All eligible families are placed on or transferred to Judge Heideman's docket. The only exception is if the family has had a prior child-dependency-court case with a different juvenile-court judge; these families remain with their initial judge unless that judge determines the FTDC Track is a better option for the family. It is not known how many families qualify for the FTDC Track but remain with another judge.

Monthly Team Meetings and Emergency Team Meetings

Each family participates in a monthly team meeting that includes the caseworker, parents, parents' attorneys, guardian ad litem, county attorney, and any other interested party. The judge is not present for the first part of the team meeting. The caseworker leads the team meetings but involves and engages the parents as much as possible. For example, the caseworker asks the parents to report on their own progress in the case, state their self-reported sobriety date, and inform other parties how the children are doing. If there is an issue the parties come to agreement on, such as visitation, the parties can stipulate to changes in the rehabilitative plan.

Judge Heideman joins each team meeting for the last 10

minutes. He sits at the table with the parents and does not wear his judicial robes. The judge engages the parents, asking them for updates and how they feel the case is going. Importantly, he directly asks the parents for a self-assessment of their progress. This allows parents to express their hopes and frustrations and

allows all parties to get a sense of how the parents are feeling about their own progress. The judge directly gives the parents praise or criticism based on their report. Throughout the case, the judge ensures that the parents are aware that everyone's goal is to have the children safely reunified with their parents.

In addition, any party is able to schedule an emergency team meeting to address concerning behaviors or new situations such as a discharge from treatment or loss of housing. This provides the ability to immediately get the parent back on track. Parties can address issues as they arise instead of waiting for future hearings. This prevents parents from deteriorating quickly.

90-Day Review Hearings

In addition to the monthly team meetings, the families have formal review hearings every 90 days (or more frequently if necessary). More frequent review hearings have been held for issues such as a change in treatment needs or reported non-compliance with the case plan. These hearings are more structured than the team meetings. Judge Heideman presides from the bench, attorneys can call witnesses and raise objections, and parties introduce exhibits into evidence. The judge issues orders following the review hearings.

Specialized Substance-Abuse Services

Case managers dedicated to the FTDC Track have familiarity with what services are available for people with a history of substance abuse. All recommendations the case managers submit to the court incorporate best practices for families with parental substance abuse. Parents undergo recommended drug and alcohol treatment that may range from outpatient to long-term inpatient. All parents are also required to undergo random drug and alcohol testing. The preferred method of testing is a call-in method where the parent must call in to the designated line each morning to know if they are scheduled to test that day. The judge prefers this method, as it allows the parents to be accountable for their own testing.

If the family includes children under the age of five, the family also receives a Parent Child Interaction Assessment (sometimes referred to as a Safe Start Assessment) and Child Parent Psychotherapy if needed. The assessment and the therapy are designed to address any trauma or harm caused by the parental substance abuse and accompanying events that led to the removal of the child. This evidence-based therapy can help repair and enhance the parent-child relationship, promote the child's social and emotional development, and minimize the harmful developmental consequences that may have resulted from the necessity of being placed in care.

Other services that address the specific needs of this popu-

The judge engages the parents, asking them . . . how they feel the case is going.

These corrective measures are designed to hold the parent accountable . . . and to provide a structured schedule to give the parent less time to be tempted by drugs or alcohol.

lation include an assigned Parent Partner (a peer mentor who has had prior experience with dependency court) and parenting classes such as Circle of Security (a relationship-based parenting class designed to enhance attachment security between children and parents). The services are tailored to each family and designed to put the parents back on track to be reunited with the children.

Potential Corrective Measures

If a parent fails to participate in ordered services or otherwise

is not complying with the provisions of the case plan, the caseworker may use corrective measures. These measures are only ordered following disposition. Corrective measures include (1) paying lab costs associated with drug tests, (2) participating in structured activities, and (3) completing writing assignments. These corrective measures are designed to hold the parent accountable for his or her actions and to provide a structured schedule to give the parent less time to be tempted by drugs or alcohol.

Parents will never be terminated from the FTDC Track. The only ways parents are discharged from the Track are (1) reuniting with their children and closing the case or (2) terminating their parental rights to the children. As long as the family has an open case, the family will be on the FTDC Track.

EVALUATION OF THE FTDC TRACK

As stated above, an evaluation of the FTDC Track is ongoing to ensure the mandatory nature of the Track does not impede its effectiveness or deter parents from fully engaging. Members of the evaluation team reviewed case files for information on dates of court hearings, case-closure information, and case plans. In addition, members of the evaluation team interviewed parents following family team meetings on their perceptions of the FTDC Track.

Case Information

As of October 15, 2015, 42 families have participated in the FTDC Track for a total of 69 children (average age = 2.2 years). Twenty-eight families (66.7%) identify as white, four (9.5%) identify as African-American, four (9.5%) identify as Hispanic, and three (7.1%) identify as American Indian (the race and ethnicity of the remaining families are unknown).

Eleven cases (26.2%) have closed as of October 15, 2015, due to establishment of permanency via reunification ($N = 6$)

or termination of parental rights and successful adoption ($N = 5$). The average number of days between when the petition is filed to the date the court terminates its jurisdiction over the case is 451.1, approximately 15 months. The parents in nine cases additional to the above closed cases (21.4%) have relinquished their parental rights, and the parents in three additional cases (7.1%) have had their parental rights terminated.

Notably, it is becoming clear early in FTDC Track cases whether children can be safely reunited with their parents or whether alternative permanency options need to be pursued. Children have been reunified with a parent in 11 cases (26.2%). Anecdotally, it appears that children are reunifying with parents relatively quickly (on average, 213.8 days, or about 7 months).²⁷ Parental rights have been relinquished or terminated in 12 cases. The average number of days from the petition being filed to parents relinquishing their parental rights is 428 days, a little over 14 months. The average number of days from the petition being filed to the filing of a motion to terminate parental rights is 389.1 days, or less than 13 months. Although these data are preliminary, they indicate that the parties are able to identify whether reunification or an alternative permanency placement should be sought early in the case.

Parents' Perceptions of Procedural Justice

A member of the evaluation team conducted interviews with parents following team meetings. The interviewer explained that he or she was assisting the judge in implementing and evaluating the Track and that the judge would appreciate hearing from parents involved with the Track. The interviewer also told the parents that their individual responses would never be shared with the judge or any other person outside the evaluation team; the responses would only be aggregated and shared in summary form.

Parents who agreed to answer the questions were given a form with 11 questions about their experiences on the Track. The questions asked the parents whether they thought the process was fair and how much say they had in the process. The parents also answered questions about their relationship with Judge Heideman and their case manager. Each question was answered on a scale of 1 (*strongly disagree*) to 5 (*strongly agree*). Statements were aimed at parents' perceptions of the fairness of the court process and the degree to which they felt comfortable speaking at team meetings. Parents were allowed to skip questions if they did not feel comfortable answering and also had the opportunity to provide comments and questions about the Track at the bottom of the form.

To examine whether a difference exists between parents involved with the FTDC Track and those who were not, evaluators interviewed eight parents from five families involved in dependency cases in Judge Heideman's court who were not on

27. In 2014, the median number of months from removal to reunification in the southeastern Department of Health and Human Services service area, including Lancaster County, Nebraska, was 12 months. This is not a directly comparable sample as this includes families that do not have allegations of substance abuse, but it

provides some context for the current data. See THROUGH THE EYES OF THE CHILD INITIATIVE, CASE PROGRESSION & COURT IMPROVEMENT DATA REPORT 2014-2015: DISTRICT 3: LANCASTER COUNTY, https://cip.nebraska.gov/sites/cip.nebraska.gov/files/files/34/2015_data_team_3.pdf.

the Track.²⁸ These families are different than FTDC Track families because they did not have allegations of substance abuse included in the petition or subsequently discovered in the initial investigation, but the parents did have children removed from their care. These comparison families only participated in traditional dependency court, and the judge did not attend their team meetings (held every three months).

Forty-three parents were interviewed in 33 separate FTDC Track cases.²⁹ Overall, parents seemed to appreciate the Track and recognized that it aims to safely return the children to the parents' care. Twenty-nine parents (65.9%) agreed that the process of getting their children back was fair, and 38 (88.4%) agreed that the goal of the FTDC Track was to get their children returned to them. Thirty-four (79.1%) reported that they had access to the services they needed to get their children returned to them. Importantly, the majority of parents (86%) stated that they knew what needed to be done to get their children returned to them. These results indicate that parents understood the FTDC Track process and viewed it as fair.

A majority of parents on the FTDC Track reported that they had voice in the process of getting their children returned to their care. Thirty-three parents (76.8%) agreed that their voice was heard at family team meetings; thirty-one (72.1%) agreed that they had a say in decisions that affected them and their children. This is important because it demonstrates that parents still felt like valuable participants in the process even though the FTDC Track is mandatory.

As discussed above, judicial leadership and parents' relationship with the judge are both important in problem-solving courts. Thirty-six parents (83.7%) reported that they received praise from the judge when they made progress toward their goals. In contrast, only 30 parents (69.8%) stated they received praise from their caseworker when they made progress. Consistent with previous research,³⁰ it appears that parents on the FTDC Track have a positive relationship with the judge.

The parents in the comparison group not on the FTDC Track perceived the dependency-court process similarly to those on the Track. The majority (87.5%) recognized that the goal of the process was to get their children returned to them, reported that they knew what needed to be done to have their children returned to their care (87.5%), and said that they had access to the services they needed (87.5%). Additionally, all of the parents indicated that they felt comfortable speaking in team meetings, but just over half (62.5%) felt that their voice was heard in team meetings. The majority (87.5%) agreed that they had a say in the decisions that affected them and their children. Five parents (62.5%) agreed that the dependency-court process was fair. Overall, there were not many differences in how parents on the Track and traditional dependency-court parents perceived the process.

Similarly, the majority of non-Track parents (75%) agreed

that they received praise from their caseworker when they made progress toward their goals. Five (62.5%) agreed that they could go to their caseworker if they had concerns about their ability to meet their goals. However, only three non-Track parents (37.5%) agreed that they received praise from the judge when they made progress toward their goals as compared to the majority (83.7%) of Track parents. Track parents reported receiving praise significantly more than did non-Track families ($\chi^2(4) = 19.806, p = .001$).

A majority of parents . . . reported that they had voice in the process of getting their children returned to their care.

Parents on the FTDC Track may perceive more praise from the judge than similar parents not on the Track. Though the comparison group is small, preliminary analysis shows that proportionally more parents on the Track report receiving praise from the judge than parents not on the Track. This indicates that the FTDC Track may be fostering a more positive relationship between parents and the judge, a factor that may be important in improving outcomes for children.

DISCUSSION

Judicial leadership plays a major role in problem-solving courts and can lead to better engagement among participants. Participants who are engaged in the process and perceive the process as fair are more likely to comply with the terms of the process. This can result in better outcomes for all participants, including vulnerable children in family problem-solving courts.

One potential barrier to implementing problem-solving courts and maintaining the implementation is funding. Funding is often temporary or contingent on factors external to the program itself, thus not always guaranteed for any length of time. Once a problem-solving court loses its funding, it may be difficult or impossible for the court to continue.

For family drug courts in particular, the loss of funding may mean the program can no longer support the incentives that encourage parents to participate in a voluntary program. FDCs require parents to participate in more meetings and to be subjected to more potential sanctions than traditional dependency court; there is no real incentive from FDCs themselves. Programs often include incentives for parents, such as the immediate availability of a treatment bed. But without a funding source, these incentives become more difficult to maintain.

One solution to that problem is to make the FDC mandatory for eligible parents. However, an important part of many problem-solving courts is that they give participants a voice in the process, beginning with the decision to choose to partici-

28. Parents interviewed for the control group do not have substance abuse identified as an issue contributing to their involvement in the court. Therefore, it is not a perfect comparison group but the best one that could be constructed because it was not feasible to do a randomized control trial.

29. Parents are interviewed at multiple time points throughout the

case to evaluate changes in perception over time, but due to the small sample size, the results presented here are only for one interview from each parent. We included the parent's most recent interview in these analyses.

30. Ashford, *supra* note 1.

pate. If a program is no longer voluntary, participants could perceive the program as less fair and feel that they have less of a voice in the process.

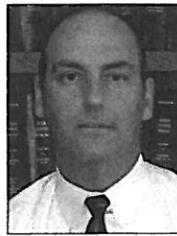
This article describes one program that was mandatory for all eligible participants. From the beginning, the program was driven by strong judicial leadership that encouraged all program participants, from caseworkers to attorneys to parents, that the program would help children safely reunify with their parents. A year and a half after implementation of the program, the mandatory FTDC Track is working well. Forty-two families have participated in the Track; eleven of these families have successfully reunified. Families appear to be either reunifying or terminating the relationship between parents and children more quickly than in other dependency cases. Children seem to be achieving permanency quickly in FTDC Track cases. In addition, the mandatory nature of the Track does not appear to hurt perceptions of procedural justice. Parents report they feel they have a voice in the process and that their voice is heard at team meetings to the same extent as in traditional dependency court. The similarity of these ratings is not surprising because traditional dependency court and the FTDC Track are both problem-solving models, seeking to address social and psychological dysfunction. Importantly, parents on the FTDC Track recognize that the judge praises them for their progress toward their goals. This indicates the relationship between parents and the judge is positive, despite the mandatory nature of the Track.

More data collected over time can help determine whether the Track successfully and safely reunifies children with their parents when there are issues with substance abuse. Such a program can be a model for other courts that wish to use a problem-solving court to address substance abuse in dependency cases but lack long-term funding to implement incentives to participate. Preliminary results indicate that judicial adoption of therapeutic jurisprudence and procedural-justice principles can have a positive impact for substance-abuse-involved parents and their children in dependency court, even if participation in the program is not voluntary.

LESSONS LEARNED FOR OTHER COURTS

For other courts considering beginning a mandatory FDC, there are a few important lessons the Lancaster County FTDC Track has taught the authors. First, judicial leadership is vital to the success of the Track. A judge will have to devote considerable resources to the Track and convince other court personnel of the Track's importance. Part of judicial leadership is being a therapeutic agent to the parents on the Track. This includes providing support to parents in a way that may be very different than traditional dependency court. Informal interaction can help parents relate to the judge and see him or her as another support person instead of someone who is working to keep their kids away from them. Second, the mandatory nature of the Track does not necessarily take away from its impact. This may be because the informal interaction with the judge creates a relaxed, collaborative atmosphere and allows for the parents to feel they are an important part of a team. Lastly, it is very important to create buy-in to the Track early on in the process of development. Many individuals, including court personnel, Department of Health and Human

Services staff, family support agencies, and mental-health service providers, can give important insight to what is needed to help parents succeed. Whatever form a family drug court may take, it will help parents in their journey and will work toward the goal of reunifying children with their families.



Judge Roger Heideman earned his B.A. from Benedictine College in Atchison, Kansas, in 1984, then went on to complete his J.D. at the University of Nebraska–Lincoln College of Law in 1992. After serving as partner for the law firm of Morris, Titus & Heideman, Judge Heideman was appointed to the Separate Juvenile Court bench in 2006 by Governor Heineman.

He served as the lead judge for Lancaster County's Through the Eyes of the Child team from 2007 to 2009. He is currently the lead judge for the Lancaster County Family Treatment Drug Court Track.



Jennie Cole-Mossman, LIMHP, is currently co-director of the Nebraska Resource Project for Vulnerable Young Children. She was previously the coordinator of the Nebraska Infant and Toddler Court Improvement Project, which was part of the Through the Eyes of the Child Initiative, where she provided technical assistance and training to overcome system barriers for infants and toddlers in the child-welfare system.

Before that time, she was the young-child-services coordinator of Project Safe Start–Nebraska, a SAMHSA-funded project providing technical assistance and Child Parent Psychotherapy to family drug courts in Omaha and Lincoln. She is a licensed independent mental-health practitioner with extensive training and experience in early childhood trauma, Child Parent Psychotherapy, and parent-child relationship assessments.



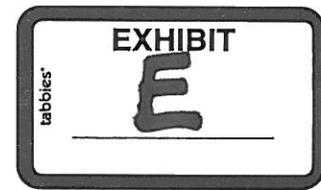
Lori Hoetger is a project evaluator at the University of Nebraska–Lincoln's Center on Children, Families, and the Law. She is a current graduate student in the University of Nebraska–Lincoln Psychology and Law dual-degree program. Lori received her J.D. from UNL in 2009 with highest distinction and will complete her Ph.D. in psychology in 2016.

Her research focuses on legal decision making, including adolescent decision making.



Katherine Hazen is a graduate research assistant for the Nebraska Resource Project for Vulnerable Young Children at the Center on Children, Families, and the Law at the University of Nebraska–Lincoln. She is in her third year of the Law and Psychology Program at UNL, pursuing a Juris Doctorate and Doctorate of Philosophy in social psychology.

Katherine received her Bachelor of Science in psychology from Endicott College, in Beverly, Massachusetts, in 2012. She is currently working on her Master's Equivalency, examining authority perceptions of fair process.



FY16-17 Budget Requests:

Revenues by Percentage Increase -

Election Commissioner	2023.79%	333,520
General Assistance	104.61%	199,800
Budget & Fiscal	56.25%	9,000
Human Services	39.07%	91,383
Records Management	13.63%	11,113
Weed Control	11.04%	40,199
County Sheriff	10.45%	177,362
Extension	9.05%	14,462
County Treasurer	7.74%	434,300
Community Corrections	6.25%	107,655
County Assessor/ROD	5.00%	100,000
ROD Technology	5.00%	10,000
Crisis Center	4.80%	134,276
Emergency Services	4.20%	13,563
Corrections	2.90%	16,500
Public Defender	2.07%	8,309
District Court	0.29%	650
Board of Commissioners	0.00%	-
County Clerk	0.00%	-
Veterans Service	0.00%	-
General Assistance - Operating	0.00%	-
Adult Probation	0.00%	-
Clerk of the District Court	0.00%	-
Mental Health Board	0.00%	-
Juvenile Court	0.00%	-
Juvenile Probation	0.00%	-
Jury Commission	0.00%	-
Human Services BU 805	0.00%	-
Justice Misc	0.00%	-
General Govt Misc	0.00%	-
County Board	0.00%	-
Administrative Services	0.00%	-
BOE	0.00%	-
County Attorney	-5.24%	(73,793)
County Court	-12.31%	(4,950)
Youth Services Center	-17.78%	(869,245)

Revenues by Dollar Amount Increase -

County Treasurer	7.74%	434,300
Election Commissioner	2023.79%	333,520
General Assistance	104.61%	199,800
County Sheriff	10.45%	177,362
Crisis Center	4.80%	134,276
Community Corrections	6.25%	107,655
County Assessor/ROD	5.00%	100,000
Human Services	39.07%	91,383
Weed Control	11.04%	40,199
Corrections	2.90%	16,500
Extension	9.05%	14,462
Emergency Services	4.20%	13,563
Records Management	13.63%	11,113
ROD Technology	5.00%	10,000
Budget & Fiscal	56.25%	9,000
Public Defender	2.07%	8,309
District Court	0.29%	650
Board of Commissioners	0.00%	-
County Clerk	0.00%	-
Veterans Service	0.00%	-
General Assistance - Operating	0.00%	-
Adult Probation	0.00%	-
Clerk of the District Court	0.00%	-
Mental Health Board	0.00%	-
Juvenile Court	0.00%	-
Juvenile Probation	0.00%	-
Jury Commission	0.00%	-
Human Services BU 805	0.00%	-
Justice Misc	0.00%	-
General Govt Misc	0.00%	-
County Board	0.00%	-
Administrative Services	0.00%	-
BOE	0.00%	-
County Court	-12.31%	(4,950)
County Attorney	-5.24%	(73,793)
Youth Services Center	-17.78%	(869,245)

FY16-17 Budget Requests:

Expenditures by Percentage Increase -

Election Commissioner	45.12%	479,774
Adult Probation	30.80%	116,205
Human Services	28.90%	112,144
Administrative Services	19.55%	80,733
ROD Technology	15.42%	48,097
Crisis Center	12.87%	368,264
Weed Control	9.45%	37,499
County Court	9.04%	81,891
General Assistance	8.66%	199,800
County Sheriff	6.64%	773,382
Juvenile Court	6.56%	126,986
Jury Commission	6.39%	9,228
Corrections	5.49%	1,204,932
County Treasurer	5.48%	188,252
Juvenile Probation	5.47%	17,344
Human Services BU 805	5.05%	220,391
County Clerk	4.87%	50,226
District Court	3.27%	90,043
County Assessor/ROD	3.17%	128,368
Extension	3.17%	34,340
County Attorney	2.76%	200,841
Budget & Fiscal	2.19%	7,421
Community Corrections	1.63%	47,199
Emergency Services	1.30%	7,126
Records Management	1.23%	7,839
Board of Commissioners	1.10%	3,151
County Board	1.10%	3,151
Clerk of the District Court	0.62%	10,916
Mental Health Board	0.38%	529
Public Defender	-0.76%	(31,382)
Youth Services Center	-2.33%	(146,414)
General Govt Misc	-3.86%	(577,287)
General Assistance - Operating	-5.42%	(24,246)
Justice Misc	-7.54%	(180,816)
Veterans Service	-20.54%	(78,942)
BOE	-34.68%	(157,280)

Expenditures by Dollar Amount Increase -

Corrections	5.49%	1,204,932
County Sheriff	6.64%	773,382
Election Commissioner	45.12%	479,774
Crisis Center	12.87%	368,264
Human Services BU 805	5.05%	220,391
County Attorney	2.76%	200,841
General Assistance	8.66%	199,800
County Treasurer	5.48%	188,252
County Assessor/ROD	3.17%	128,368
Juvenile Court	6.56%	126,986
Adult Probation	30.80%	116,205
Human Services	28.90%	112,144
District Court	3.27%	90,043
County Court	9.04%	81,891
Administrative Services	19.55%	80,733
County Clerk	4.87%	50,226
ROD Technology	15.42%	48,097
Community Corrections	1.63%	47,199
Weed Control	9.45%	37,499
Extension	3.17%	34,340
Juvenile Probation	5.47%	17,344
Clerk of the District Court	0.62%	10,916
Jury Commission	6.39%	9,228
Records Management	1.23%	7,839
Budget & Fiscal	2.19%	7,421
Emergency Services	1.30%	7,126
Board of Commissioners	1.10%	3,151
County Board	1.10%	3,151
Mental Health Board	0.38%	529
General Assistance - Operating	-5.42%	(24,246)
Public Defender	-0.76%	(31,382)
Veterans Service	-20.54%	(78,942)
Youth Services Center	-2.33%	(146,414)
BOE	-34.68%	(157,280)
Justice Misc	-7.54%	(180,816)
General Govt Misc	-3.86%	(577,287)

PBC Rents

	FY17 <u>Rent</u>	FY16 <u>Rent</u>	<u>variance</u>	Percent <u>Change</u>
PBC PROPERTIES:				
County Clerk	48,283.13	46,501.88	1,781.25	3.83%
County Treasurer	43,177.50	41,602.50	1,575.00	3.79%
County Assessor/Register of Deeds	133,534.55	128,821.55	4,713.00	3.66%
Budget & Fiscal	8,195.93	7,927.40	268.53	3.39%
County Commissioners	34,440.47	33,181.58	1,258.89	3.79%
Commissioners - Space Held for Courts	36,750.00	-	36,750.00	
Clerk of the District Court - HOJ	94,591.20	91,623.20	2,968.00	3.24%
Clerk of the District Court - K Street	2,352.00	2,352.00	-	0.00%
Clerk of the County Court	150,838.35	145,956.85	4,881.50	3.34%
County Court	339,311.55	328,482.05	10,829.50	3.30%
Juvenile Court	197,805.00	191,555.00	6,250.00	3.26%
District Court	524,425.80	507,663.80	16,762.00	3.30%
Public Defender	150,862.50	150,862.50	-	0.00%
Public Defender - remaining Crthouse Plaza	10,931.26	-	10,931.26	
Records Management	110,009.25	110,009.25	-	0.00%
County Sheriff	283,276.05	274,341.55	8,934.50	3.26%
County Sheriff - 605 (IT)	4,700.67	-	4,700.67	
County Attorney	207,978.90	201,457.90	6,521.00	3.24%
County Attorney - 605 Building	27,037.51	-	27,037.51	
Corrections	197,415.00	2,160.00	195,255.00	9039.58%
Juvenile Probation	159,103.53	201,954.65	(42,851.12)	-21.22%
Juvenile Probation - 605 Building	60,174.15	-	60,174.15	
Adult Probation	24,183.45	32,244.50	(8,061.05)	-25.00%
Adult Probation - 605 Building	78,814.35	-	78,814.35	
Adult Probation - North Reporting Center	66,500.00	-	66,500.00	
Human Services	25,345.25	23,737.25	1,608.00	6.77%
General Assistance	28,586.25	-	28,586.25	
Risk Management	5,114.25	5,114.25	-	0.00%
Emergency Services	65,837.25	65,837.25	-	0.00%
Community Corrections	102,144.69	131,318.10	(29,173.41)	-22.22%
Community Corrections - 605 Building	48,127.95	-	48,127.95	
Crisis Center - Benes Building	242,175.00	108,588.80	133,586.20	123.02%
	<u>3,512,022.74</u>	<u>2,833,293.81</u>	<u>678,728.93</u>	<u>23.96%</u>
COUNTY OWNED FACILITIES:				
Motor Vehicle Licensing - Treasurer	121,305.60	113,942.45	7,363.15	6.46%
Drivers Testing Station - Treasurer	97,587.50	92,154.25	5,433.25	5.90%
Election Commission	85,555.00	74,890.27	10,664.73	14.24%
Jury Commission	-	5,784.48	(5,784.48)	-100.00%
County Attorney - Child Support	43,440.48	57,920.63	(14,480.15)	-25.00%
Adult Probation	147,313.54	187,367.05	(40,053.51)	-21.38%
Juvenile Detention Center	514,000.00	503,860.00	10,140.00	2.01%
Veterans Service	12,621.00	27,300.00	(14,679.00)	-53.77%
	<u>4,533,845.86</u>	<u>3,896,512.94</u>	<u>637,332.92</u>	<u>16.36%</u>

**Information Services
FY2016-2017 Projected Billings**



Sheet Description: Shows comparison by customer between proposed rates/billing and previous year's billing

Customer	Entity	FY16-17	FY15-16	Difference	Percent Change	% of Total Billing	% of Entity Billing
Adult Probation	County	51,256.65	52,369.89	(1,113.25)	-2.13%	0.67%	2.29%
Aging	City	109,837.96	107,302.74	2,535.22	2.36%	1.44%	2.05%
Building & Safety	City	381,348.55	290,283.85	91,064.70	31.37%	5.00%	7.12%
City Attorney	City	42,190.58	41,273.70	916.88	2.22%	0.55%	0.79%
City Council	City	2,440.75	3,806.22	(1,365.47)	-35.87%	0.03%	0.05%
Clerk of District Court	County	28,177.49	33,053.71	(4,876.22)	-14.75%	0.37%	1.26%
Community Corrections	County	35,241.04	32,604.31	2,636.73	8.09%	0.46%	1.58%
Corrections	County	438,976.08	410,742.42	28,233.67	6.87%	5.76%	19.62%
County Assessor	County	113,309.15	138,525.50	(25,216.35)	-18.20%	1.49%	5.07%
County Attorney	County	143,593.43	144,022.62	(429.20)	-0.30%	1.88%	6.42%
County Clerk	County	142,907.49	91,713.33	51,194.15	55.82%	1.88%	6.39%
County Commissioners	County	417,533.22	631,966.92	(214,433.70)	-33.93%	5.48%	18.67%
County Court	County	14,508.52	32,470.40	(17,961.88)	-55.32%	0.19%	0.65%
County Engineer	County	110,358.22	92,287.53	18,070.70	19.58%	1.45%	4.93%
County Extension	County	9,487.48	15,885.97	(6,398.48)	-40.28%	0.12%	0.42%
County Records	County	19,488.50	20,310.62	(822.12)	-4.05%	0.26%	0.87%
County Risk Management	County	8,406.77	7,097.23	1,309.54	18.45%	0.11%	0.38%
County Sheriff	County	136,329.54	126,592.31	9,737.23	7.69%	1.79%	6.09%
County Treasurer	County	117,493.15	117,436.20	56.95	0.05%	1.54%	5.25%
County Weed	County	25,175.67	23,638.61	1,537.06	6.50%	0.33%	1.13%
Crisis Center	County	23,257.99	6,829.78	16,428.21	240.54%	0.31%	1.04%
District Court	County	54,010.97	50,164.71	3,846.27	7.67%	0.71%	2.41%
Election Commission	County	42,344.08	46,040.65	(3,696.57)	-8.03%	0.56%	1.89%
Emergency Management	County	54,500.74	58,463.64	(3,962.90)	-6.78%	0.72%	2.44%
Finance - Accounting	City	139,438.52	136,512.76	2,925.75	2.14%	1.83%	2.60%
Finance - Administration	City	2,875.00	7,041.75	(4,166.75)	-59.17%	0.04%	0.05%
Finance - Budget	City	1,877.83	4,496.18	(2,618.36)	-58.24%	0.02%	0.04%
Finance - City Clerk	City	5,551.25	5,446.47	104.78	1.92%	0.07%	0.10%
Finance - City Treasurer	City	2,714.50	3,158.58	(444.08)	-14.06%	0.04%	0.05%
Finance - Purchasing	City	3,702.00	5,750.50	(2,048.50)	-35.62%	0.05%	0.07%
Fire and Rescue	City	345,121.54	337,008.97	8,112.57	2.41%	4.53%	6.44%
General Expense	City	1,614,600.85	1,687,158.07	(72,557.22)	-4.30%	21.18%	30.13%
Health	City	567,371.65	513,582.76	53,788.89	10.47%	7.44%	10.59%
Human Services	County	21,651.50	12,386.25	9,265.25	74.80%	0.28%	0.97%
JPA - West Haymarket	City	1,503.75	1,253.75	250.00	19.94%	0.02%	0.03%
Juvenile Court	County	17,711.43	16,048.02	1,663.41	10.37%	0.23%	0.79%
Juvenile Probation	County	47,003.61	47,135.06	(131.46)	-0.28%	0.62%	2.10%
Lancaster Event Center	Other	16,257.24	-	16,257.24	--	0.21%	61.80%
LES	City	61,707.38	54,984.53	6,722.85	12.23%	0.81%	1.15%
Library	City	21,348.71	1,894.25	19,454.46	1027.03%	0.28%	0.40%
Mayor	City	20,969.16	21,524.41	(555.25)	-2.58%	0.28%	0.39%
Mayor - CIC	City	2,392.50	1,268.25	1,124.25	88.65%	0.03%	0.04%
NRD (Lower Platte South)	Other	10,050.92	8,657.12	1,393.80	16.10%	0.13%	38.20%
Parks & Recreation	City	131,147.09	116,933.34	14,213.75	12.16%	1.72%	2.45%
Personnel	City	56,410.81	62,726.15	(6,315.34)	-10.07%	0.74%	1.05%
Personnel - Police/Fire Pension	City	21,477.49	20,445.75	1,031.74	5.05%	0.28%	0.40%
Personnel - Risk Mgmt	City	28,073.98	20,282.14	7,791.84	38.42%	0.37%	0.52%
Planning	City	187,387.41	116,807.74	70,579.67	60.42%	2.46%	3.50%
Police	City	324,265.22	333,509.02	(9,243.80)	-2.77%	4.25%	6.05%
Police - 911 Center	City	125,793.92	98,165.21	27,628.71	28.15%	1.65%	2.35%
Public Building Commission	County	22,748.49	16,040.50	6,707.99	41.82%	0.30%	1.02%
Public Defender	County	74,006.48	79,871.00	(5,864.53)	-7.34%	0.97%	3.31%
Public Works	City	1,029,792.59	974,105.10	55,687.50	5.72%	13.51%	19.22%
Urban Development	City	127,041.89	130,889.85	(3,847.96)	-2.94%	1.67%	2.37%
Veterans Administration	County	4,725.00	17,993.78	(13,268.78)	-73.74%	0.06%	0.21%
Youth Services	County	62,761.92	59,388.58	3,373.35	5.68%	0.82%	2.81%
TOTAL		7,621,655.63	7,487,348.70	134,306.93	1.79%		
City	70.30%	5,358,382.85	5,097,612.02	260,770.83	5.12%		
County	29.35%	2,236,964.62	2,381,079.55	(144,114.94)	-6.05%		
Other	0.35%	26,308.16	8,657.12	17,651.04	203.89%		

NOTES: