

COMPLEX ISSUES IN JUVENILE COURT PRACTICE XIV

FRIDAY OCTOBER 28, 2022

MIKE and JOSIE HARPER CENTER
602 NORTH 20TH STREET
CREIGHTON UNIVERSITY
OMAHA, NE

CO-SPONSORED BY:

CREIGHTON UNIVERSITY SCHOOL OF LAW

and

THE GUARDIAN AD LITEM PROJECT, INC.

NEBRASKA MCLE ACTIVITY # 234539

IOWA CLE ACTIVITY # 383091

Now in its 14th year, this seminar addresses more advanced areas of juvenile court practice. This year, we are featuring two presentations of great relevance. While the judiciary is required to maintain its neutrality and to function independently from public pressure, current events show that judges and their families are not immune from risk of harm or even death from those who disagree with their decisions. The same is true of attorneys who work in challenging legal environments where emotions can run high, such as juvenile court cases. We are honored to have John Muffler, MS, CTM, Principal with Aequitas Global Security, LLC, a nationally-recognized expert, who will address these realities and suggest strategies for increasing safety in the courtroom.

Juveniles often find themselves at risk of harm or prosecution resulting from their use of the internet or social media. Amie Konwinski, the founder and CEO of Smart Gen Society, will address the paradox that while social media appears to increase our “connectedness,” it also has caused a decrease in “attention spans, empathy, and civil discourse while increasing major depressive disorders, self-harm and suicide rates among today’s youth.” Ms. Konwinski will present valuable strategies on how to transition away from the negative social media impact upon juveniles and our communities

During this last year, juvenile court case management returned to the Nebraska Department of Health and Human Services (NDHHS) after years of privatized case management. Representatives from NDHHS will present information regarding the transition and its current state. In addition, the seminar will feature an overview of the YRTC facilities.

This seminar is co-sponsored by Creighton University School of Law and the Guardian ad Litem Project, Inc., a Nebraska non-profit corporation. Lunch will be provided to those attending in person.

Upon registering, *pending approval by the publisher*, attendees may also choose to receive a link to order a copy of *Juvenile Court Law and Practice* (Thomson-Reuters Pub., 17th Ed., 2022-2023) by Christine P. Costantakos, at a specially discounted rate.

The seminar will be held at the Mike and Josie Harper Center located on the Creighton University campus at 602 N. 20th Street. Parking is available in the lot immediately to the south of the building and also in the lot immediately east of the law school.

We encourage live attendance for the best experience.

However, attendees may elect to participate in the seminar by remote means.

Nebraska and Iowa have approved this seminar for 7 hours of CLE credit which includes 1.0 hour of Professional Responsibility/Ethics credit. Credit may also be requested from the Administrative Office of the Nebraska Supreme Court to meet the 3-hour annual Guardian ad Litem Training Requirement.

REGISTRATION INFORMATION

Registration Fee: **\$100.00**

Register online by contacting **Colin Dworak** at: **ColinDworak@creighton.edu**
or at **(402) 280-4062**

Upon registration, you will be able to designate whether you are attending in person or remotely; and whether you want to order a copy of *Juvenile Court Law and Practice* (Thomson-Reuters Pub., 17th Ed., 2022-2023) by Christine P. Costantakos, if a specially discounted rate is approved by the publisher.

Friday, October 28, 2022

8:15 a.m.- 8:40 a.m.	REGISTRATION
8:40 a.m.-8:45 a.m.	Welcome <i>Craig Dallon</i> <i>Assoc. Dean Creighton University School of Law</i>
8:45 a.m.-9:15 a.m.	What is the NACC? How can it benefit you? <i>LaShawn Young, J.D.</i>
9:15-10:15 am	Navigating the Complexity of Social Media Usage <i>Amie Konwinski</i> <i>CEO, SmartGen Society</i>
10:15-10:30	BREAK
10:30 a.m.-12:00 p.m.	Identifying and Preventing Threats and Acts of Violence Against Judges and Attorneys <i>John Muffler, MS, CTM</i> <i>Principal, Aequitas Global Security, LLC</i>
12:00 a.m.-12:45 p.m.	LUNCH
12:45 p.m.-1:15 p.m.	Caselaw and Statutory Update <i>B. Gail Steen, J.D.</i>
1:15 p.m.-2:15 p.m.	The Reunion Tour! The Judges' Perspectives <i>Hon. Vernon C.R. Daniels; Hon. Anne Paine; Hon. Randin R. Roland</i>
2:15 p.m.-2:30 p.m.	BREAK
2:30 p.m.-3:15 p.m.	A YRTC Primer <i>John Baker, J.D. Special Asst. Attorney General</i> <i>Nebraska Dept. of Health and Human Services</i>
3:15 p.m.--4:00 p.m.	DHHS Case Management (Or There and Back Again!) <i>Lana Verbrigghe, LCSW,</i> <i>Service Area Administrator for the Nebraska Department of Health and Human Services, Eastern Service Area.</i> <i>Neligh Boyer, J.D. Special Asst. Attorney General</i> <i>Nebraska Dept. of Health and Human Services</i>

*Jeri James, J.D. Special Asst. Attorney General
Nebraska Dept. of Health and Human Services*

4:00p.m.-5:00

4 Ethical Issues:

**Collaborative Compromises; Conduct at Remote Hearings;
Waiver of Detention Hearings; Ex Parte Communication with
Judges**

*Chris Costantakos, J.D.; Hon. Mary "Peg" Stevens; Elizabeth
McClelland, J.D.; Hon. Candice J. Novak; Katrine Herrboldt, J.D;*

FACULTY

Guest Presenters

John Muffler, MS, CTM, Principal of Aequitas Global Security, LLC, is a strategic consultant for high-visibility clients in government, business, education, entertainment, and private sectors, developing strategic initiatives and crisis management processes. He developed, then led, the National Center for Judicial Security for the U.S. Marshals Service, holding a top-secret clearance and key leadership positions throughout his decorated career.

Currently serving as faculty/consultant for the National Judicial College, National Council of Juvenile and Family Court Judges, state judicial education programs, the American Bar Association's Judicial Division, and as a security advisor for the National Center for State Courts, he develops risk-related training curriculum and conducts physical security and safety assessments for court facilities around the world.

John has been published in legal and law enforcement magazines on targeted violence, threat assessment, judicial security, and was an executive producer for the award-winning workplace safety video series, Project 365, for the U.S. Courts. He is certified in threat management through the Association of Threat Assessment Professionals, serves on an Executive Board for the International Association of Chiefs of Police, is a member of ASIS International, National Sheriffs' Association, the Department of State's Fulbright Specialist Program, and has chaired national and international law enforcement and judicial education programs. As the Senior Advisor for Gavin de Becker & Associates, he develops threat assessment programs for judges, public figures, schools, workplaces, and victims of domestic violence. A global keynote speaker, he has also been interviewed by NewsNation, CNN, SiriusXM, 60 Minutes, Inside Edition, Law360, and many others on judicial assassination, risk mitigation, and personal security. John is an alum of Naval Postgraduate School's Executive Leaders Program and holds a master's degree from St. Joseph's University.

Amie Konwinski is the founder and CEO of Smart Gen Society in Omaha, a nonprofit providing proactive education and restorative justice services to students, caregivers, and educators impacted by the effects of a 24/7 digitally connected society.

A military veteran and mother of five daughters, Amie combines proactive parenting techniques with 20+ years of experience in organizational leadership, and computer engineering to engage students, caregivers, and educators to be smart and safe on technology and social media.

Applying data, humor, and candor, Amie expertly walks the line of honoring the importance of digital connections and providing real-life strategies to close the safety gaps within student's Smartphone and social media usage. Amie and her family live in Omaha, Nebraska. In her free time, she enjoys spending time in nature, gardening, adventure travel, and reading great books

Lana Verbrigghe, LCSW, is the Service Area Administrator for the Nebraska Department of Health and Human Services, overseeing the Eastern Service Area. Lana provides oversight to Protection and Safety, Adult Protective Services and Bridge to Independence. Lana has over 20 years of experience in the Child Welfare System

Judges

Hon. Vernon C.R. Daniels, a University of Nebraska College of Law graduate, has served as a judge of the Separate Juvenile Court of Douglas County, Nebraska, for 21 years. He is a former member of the Nebraska Supreme Court Commission on Children in the Courts as well as the Governor’s Children’s Task Force. He also served on the Supreme Court-Nebraska State Bar Association’s Minority and Justice Task Force and Implementation Committee of that Task Force. He was a member of the Commission on Juvenile Diversion, Detention, and Probation Uniform Standards, as well as a board member for the Boy Scouts Diversion Program. Judge Daniels is currently a member of the steering committee of the “Building Bright Futures” initiative. He is an adjunct faculty member at Creighton University School of Law, where he teaches courses in “Offender Law,” and “Children, Family and the State.” He co-chairs the Juvenile Detention Alternatives Initiative for the Annie E. Casey Foundation for Douglas County. Judge Daniels enjoys mentoring new attorneys and law students. In 2021, he received the “Distinguished Judge Award” from the Nebraska Supreme Court.

Hon. Candice J. Novak is the current Presiding Judge of the Separate Juvenile Court of Douglas County. Prior to her judicial appointment in 2020, she was engaged in the practice of law in Omaha, focusing upon juvenile law. From 2006-2010, she was an associate attorney in a firm that contracted to handle guardian ad litem representation exclusively in juvenile cases in Douglas County. After that, she entered solo practice where she continued guardian ad litem representation in both Douglas and Sarpy counties, and also expanded her juvenile court practice to include representation of parents in abuse and neglect cases, adoptive parents, and also juveniles in delinquency cases. She also provided representation to parents, guardians, and wards in probate matters, as well as parents in criminal proceedings relative to juvenile court filings, and minors involved in misdemeanor matters and district court felony matters. Judge Novak previously served as the Nebraska State coordinator for the National Association for Counsel for Children, and also served on the legislative committee for the Juvenile Section of the Nebraska Bar Association. She assisted in the development of the Nebraska Juvenile Court Young Child Court Form as provided by the Through the Eyes of the Child Initiative. She is currently a member of the Guardian ad Litem Subcommittee of the Nebraska Supreme Court Commission on Children in the Courts.

Hon. Anne Paine holds a degree in English Education from Kearney State College in 1984, and her juris doctorate from the University of Nebraska College of Law in 1988. She practiced law from 1988-2007 after she became a County Judge in the Eleventh Judicial District, based out of McCook. She currently serves in Red Willow, Furnas, Hitchcock, Hayes and Frontier Counties

and also handles conflict cases in other counties as needed in the Judicial District. Judge Paine is a member of the Nebraska Supreme Court Commission on Children in the Courts and the Judicial Resource Commission, and serves as lead judge for the 11th District Team 3 Through the Eyes of the Child Team.

Hon. Randin R. Roland graduated from Creighton School of Law in 1993, and afterward, engaged in private practice in South Dakota. From 1995-2006 he was employed in the Cheyenne County Attorney's office in Sidney, Nebraska, and served as its chief deputy from 2003-2006. He is presently the presiding judge of the county court of 12th Judicial District.

Hon. Mary "Peg" Stevens, J.D., has served as a judge of the Separate Juvenile Court of Douglas County, Nebraska, for nearly 3 years. She is a member of the Nebraska Supreme Court Commission on Children in the Courts and also a member of the Appellate Law and Juvenile Law sections of the NSBA. Prior to being appointed to the juvenile bench, Judge Stevens was a partner at Carlson & Burnett, LLP, where her primary legal practice focused upon juvenile law and trial advocacy, working to protect the legal rights of families and children impacted by domestic abuse and child abuse. Judge Stevens obtained her undergraduate degree in Criminal Justice, then her Juris Doctor degree from Creighton University School of Law in 1988. She was a Deputy County Attorney in the Sarpy County Attorney's Office for 10 years, during which time she handled a variety of juvenile and criminal cases ranging from misdemeanors to felonies. Since 2017, she has participated in the revision of the Nebraska Evidence Handbook.

Special Assistant Attorneys General

John M. Baker, J.D., was engaged in law enforcement for 10 years before attending Creighton Law School in 1991. One winter's night while out on patrol in a rural Iowa county where the only things moving were jackrabbits and coyotes, John decided there had to be an easier way to make a living and decided to become a lawyer. He graduated from Creighton University School of Law in 1994 and was in private practice until joining the legal division of the Nebraska Department of Health and Human Services in November 2002. John provided legal support for the abuse/neglect unit and for those who remember the "old days," he provided legal support for the 3(b) and OJS units. In October 2020, John was assigned as one of three DHHS attorneys to represent the YRTCs in juvenile court. He carries an Immediate Retirement Letter in case those in Lincoln finally realize he has not done a lot these past 20 years. John recently completed a Basic Course in Magic through the Society of American Magicians-which, he says, "may be a great skill in this law biz."

Neleigh Boyer, J.D., is the Lead Children and Family Services Attorney for the Nebraska Department of Health and Human Services, overseeing the juvenile courtroom attorneys across the State. Neleigh has provided legal counsel to CFS since 2012, assisting with the implementation of Alternative Response and the Bridge to Independence Program. Neleigh also provides legal support to the Youth Rehabilitation Treatment Centers. Prior to employment with DHHS, Neleigh was the County Attorney in Kearney County and the Deputy County Attorney in Keith County.

Jeri James, J.D., is a Senior Attorney and Litigation Strategist for Children and Family Services for the Nebraska Department of Health and Human Services. Jeri as served CFS since 2010 as a courtroom attorney covering the Eastern Service area for the last ten years, and until recently advised the Bridge to Independence Program since its inception. Prior to serving the NDHHS, Jeri was a Deputy Dodge County Attorney for eight years.

Attorneys

Chris Costantakos, J.D., a member of the Guardian ad Litem Project, Inc., and a Creighton Law graduate, has practiced extensively in the area of juvenile court law for over 30 years. She is the author of *Juvenile Court Law and Practice*, a Nebraska practice manual (Thomson-Reuters) now in its 17th edition. A member of the Nebraska Supreme Court Commission on Children in the Courts, she chairs its Guardian ad Litem Subcommittee. She received the “Shining Light Award” from the Nebraska State Bar Foundation in 2013 for excellence in legal research for her book.

Katrine Herrboldt, J.D., received her Juris Doctorate in May 2005 with a concentration in Dispute Resolution from Creighton University School of Law. For over sixteen years she has primarily focused her law practice on the Separate Juvenile Courts in Sarpy County and Douglas County, Nebraska serving as guardian ad litem for children and incapacitated adults, as well as defense counsel for parents and juveniles. She believes that the juvenile court system plays a vital role in the work to protect children, preserve families, help youth find a better path, and strengthen our community. And, that there is nothing important and fundamental to a community’s well-being than healthy children, youth, and families.

Elizabeth McClelland, J.D., (NE Law graduate 2011), currently works as an associate attorney with Education Rights Counsel. Previously, Elizabeth was engaged in private practice in juvenile court working as a defense counsel, guardian ad litem, and parents’ attorney. Prior to that, Elizabeth spent close to 7 years as a Deputy County Attorney in the Douglas County Attorney’s office Juvenile Division, prosecuting cases. Elizabeth has served on the judicial nominating committee, 1184 Project Harmony team as the County Attorney member, Crossover Youth and JAC attorney. She is a member of the Guardian Ad Litem Project.

B. Gail Steen, J.D., graduated from UNL College of Law in 1992, and has been causing problems since. Her reign of annoying began at Legal Aid in the Norfolk office, which granted her seniority status over Jeff Wagner, later transferring to Omaha in 1995. In 2000, she joined the Nebraska Dept. of Health and Human Services Legal Department, Protection and Safety Division, to begin annoying the whole state. In 2008, Ms. Steen entered private practice. She is on the Governor’s Commission for the Protection of Children, and is a member of the Lincoln Bar Association. She likes to garden, drink fine and not-so-fine wine, think deeply about the law, and travel. (Because she brings candy, we let her present at this seminar.)

LaShawn Young, J.D., is a native Nebraskan and a descendant of the first African American settlers to the state. She is married to Reginald Young and they are the proud parents of three

children. Ms. Young earned her Bachelor of Arts degree at Wilberforce University in Wilberforce, Ohio, and her law degree at the University of Nebraska College of Law, Lincoln, Nebraska.

Ms. Young practices law with Young and Young Attorneys at Law along with her husband, located in Omaha, Nebraska. Her practice focuses on family, juvenile and probate law. She has extensive experience in advocating before the juvenile court on legal matters as a Guardian Ad Litem; and Juvenile and Parent Attorney. She has provided legal assistance to countless numbers of families seeking to provide permanency for children through guardianships and adoptions. She also assists families seeking to establish custody and/or visitation.