

Bench Guide: Juvenile Justice System Involved Youth & The Bridge to Independence Program

In 2023, LB 50 expanded eligibility for the Bridge to Independence Program (“B2I”) to include youth aging out of the juvenile justice system who are disconnected from family support and at risk of homelessness. Below are essential Nebraska Juvenile Code provisions judges and attorneys should know to implement this change.

Transition Planning for JJ Youth		
Information Sharing to JJ Youth Potentially Eligible for B2I	Neb. Rev. Stat. § 43-1311.03 (8)(d)(i)	<p><u>Starting January 1, 2025:</u></p> <p>The Office of Probation shall identify and provide information regarding B2I to juveniles:</p> <ul style="list-style-type: none"> ● Adjudicated pursuant to § 43-247 (1), (2), (3)(b) and ● In court-ordered out-of-home placements in the 6 months prior to turning 19*
Required Hearing & Findings for JJ Youth To Be Eligible for B2I	Neb. Rev. Stat. § 43-1311.03 (8)(d)(ii) - (iii)	<p><u>Within 6 months prior to a juvenile turning 19:</u></p> <p>If the court or any party to a juvenile’s case believes it would be contrary to the juvenile’s welfare to return to their family home, the court or party may request a hearing for the court to decide whether it is necessary for the juvenile to remain in the court-ordered out-of-home placement.</p> <ul style="list-style-type: none"> ● The court may consider whether: <ul style="list-style-type: none"> ○ The juvenile is disconnected from family support that would assist them in transitioning to adulthood ○ The juvenile faces the risk of homelessness upon closure of their case; or ○ The Office of Probation has made reasonable efforts to return them to the family home prior to their 19th birthday. ● The court is to find, in writing, “whether or not return[ing] to the family home would be contrary to the juvenile’s welfare,” and authorize the juvenile to remain in their out-of-home placement.
	Neb. Rev. Stat. § 43-1311.03 (8)(d)(iv)	<p><i>NOTE: A juvenile with a pending motion to revoke probation at the time of this hearing shall not be eligible for B2I.</i></p>

If Required Findings Are Made	Neb. Rev. Stat. § 43-1311.03 (8)(d)(iii)	<p><u>If the court finds that returning the juvenile to the family home would be contrary to their welfare:</u></p> <ul style="list-style-type: none"> • The Office of Probation shall notify DHHS within 10 days. • Then, as soon as possible before the youth turns 19, DHHS shall explain, in person, the information regarding B2I provided to the juvenile, including how to avoid a lapse in services and supports. <p><u>Then, if the juvenile is in the out-of-home placement when they turn 19 pursuant to the above required court order, DHHS shall proceed with § 43-4506 and § 43-4508 to initiate B2I participation.</u></p>
General Eligibility for B2I for JJ Youth		
JJ Youth Eligibility for B2I	Neb. Rev. Stat. § 43-4504 (2)(c)	<p><u>After January 1, 2025, B2i is available to juveniles:</u></p> <ul style="list-style-type: none"> • Adjudicated pursuant to § 43-247 (1), (2), or (3)(b) • In court-ordered out-of-home placement the day before turning 19*, and • Such placement was authorized within the 6 months prior to them turning 19 within a written court order finding it would be contrary to their welfare to remain or return to their family home. <p><i>The juvenile must also meet the other eligibility requirements in § 43-4504 (age, residency, etc.).</i></p>
Once In B2i		
Court-Appointed Attorney	Neb. Rev. Stat. § 43-4510 (1)	Once in B2I, the juvenile shall be provided a properly trained court-appointed attorney if they'd like one, which may continue to be the defense counsel they were appointed prior to turning 19, with the juvenile's consent.
Medical Coverage for JJ Youth in B2i	Neb. Rev. Stat. § 43-4505 (2)	Once in B2I, the juvenile is eligible for medical care under the medical assistance program pursuant to § 68-915 or other medical assistance categories under federal law.

**Or the age of majority under the relevant tribal law.*