

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.

Subject	Statute	Requirement
Information Sharing to JJ Youth Potentially Eligible for B2I	Neb. Rev. Stat. § 43-1311.03 (8)(d)(i)	“On and after January 1, 2025, a child adjudicated to be a juvenile as described in subdivision (1), (2), or (3)(b) of section 43-247 and who is in a court-ordered out-of-home placement in the six months prior to attaining nineteen years of age* shall receive information regarding the Young Adult Bridge to Independence Act and the bridge to independence program available under the act. The Office of Probation Administration shall identify any such juvenile and provide the juvenile with information regarding the Young Adult Bridge to Independence Act and the bridge to independence program available under the act.”
Required Findings for JJ Youth To Be Eligible for B2I	Neb. Rev. Stat. § 43-1311.03 (8)(d)(ii) - (iii)	“Any party to such juvenile's court case, or the court upon its own motion, may request a hearing in the six months prior to the juvenile attaining nineteen years of age for the court to consider whether it is necessary for the juvenile to remain in the court-ordered out-of-home placement if the requesting party or the court believes it would be contrary to the juvenile's welfare to return to the family home. The following factors may guide the court in finding whether or not return to the family home would be contrary to the juvenile's welfare: (A) Whether the juvenile is disconnected from family support that would assist the juvenile in transitioning to adulthood; (B) Whether the juvenile faces the risk of homelessness upon closure of the juvenile court case; or (C) Whether the Office of Probation Administration has made reasonable efforts to return the juvenile to the family home prior to the juvenile's nineteenth birthday. The court shall set forth its finding in a written order.”
	Neb. Rev. Stat. § 43-1311.03 (8)(d)(iv)	NOTE: “A juvenile with a current pending motion to revoke probation before the court at the time of the hearing shall not be eligible for the Young Adult Bridge to Independence Act.”

If Required Findings Are Made	Neb. Rev. Stat. § 43-1311.03 (8)(d)(iii)	<p>“If the court finds that return to the family home would be contrary to the juvenile's welfare, the Office of Probation Administration shall notify the Department of Health and Human Services within ten days after such finding is made. As soon as practicable thereafter and prior to the child's nineteenth birthday, a representative of the department shall explain the information contained in the written notice described in this subsection to the juvenile in person and the timeline necessary to avoid a lapse in services and support.</p> <p>If the juvenile remains in a court-ordered out-of-home placement upon attaining nineteen years of age pursuant to a court order as described in section 43-4504, the department shall proceed pursuant to sections 43-4506 and 43-4508.”</p>
JJ Youth Eligibility for B2I	Neb. Rev. Stat. § 43-4504 (2)(c)	<p>“The bridge to independence program is available, on a voluntary basis, to a young adult: . . . who was adjudicated to be a juvenile described in . . . Subdivision (1), (2), or (3)(b) of section 43-247 and (i) after January 1, 2025, upon one day prior to attaining nineteen years of age or the age of majority under relevant tribal law, was in a court-ordered out-of-home placement and (ii) such placement had been authorized or reauthorized in the six months prior to the juvenile attaining nineteen years of age in a court order finding that it would be contrary to the welfare of the juvenile to remain in or return to the juvenile's family home” **</p>
Court-Appointed Attorney	Neb. Rev. Stat. § 43-4510 (1)	<p>“If desired by the young adult, the young adult shall be provided a court-appointed attorney who has received training appropriate to the role. . . . For young adults who were appointed a guardian ad litem or defense counsel before the young adult attained the age of eligibility, the guardian ad litem's or defense counsel's appointment may be continued, with consent from the young adult, but under a client-directed model of representation.”</p>
Medical Coverage for JJ Youth in B2I	Neb. Rev. Stat. § 43-4505 (2)	<p>“Extended services and support provided under the bridge to independence program include . . . Medical care under the medical assistance program for young adults who meet the eligibility requirements of subdivision (2)(c) of section 43-4504, are eligible for a category of medical assistance pursuant to section 68-915 or other medical assistance category under federal law, and have signed a voluntary services and support agreement as provided in section 43-4506”</p>

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

** JJ youth must still comply with the other eligibility requirements within § 43-4504 to participate in B2I (age, residency, etc.).