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February 16, 2023

To: Chairperson Wayne and Members of the Judiciary Committee  
From: Spike Eickholt, Lobbyist for Voices for Children in Nebraska  
**RE: Support for LB 306, Create the Youth in Care Bill of Rights**

Children and youth are entitled to the Constitutional and statutory rights that all Nebraskans enjoy, and these rights should not be unduly abrogated by foster care or juvenile justice placement. Mere involvement in a state child-serving system should not cut off a child from his or her rights, but all too often, it does. This may happen, in part, because children and youth are not even aware of the scope of their rights, to what extent system involvement should or should not affect them, or how to assert them. Voices for Children supports LB 941, because creating a bill of rights for youth in care would provide crucial information to young people who may be unaware or uncertain of the rights and freedoms to which they are entitled, even in state custody. It will ensure that youth in care know their rights and are empowered to advocate for them.

Voices for Children particularly lauds the youth advocates who have collaborated on and worked for this bill year after year. We appreciate Senator Hunt's commitment to youth in juvenile justice settings like the Youth Rehabilitation and Treatment Centers; it would be easier, I think, to have left this as a foster care bill of rights and write off justice-involved youth as undeserving or having waived their rights by virtue of their choices. This just isn't the case, or what we should stand for in Nebraska.

Apart from the moral value of ensuring children involved in our government systems understand and can access their rights, there is also a pragmatic reason to support this legislation for both foster care and juvenile justice youth: research shows that youth perception of fairness in a justice process is correlated with better outcomes. **When youth understand processes and perceive they are being treated fairly, they are more likely to respond positively.**<sup>1</sup>

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<sup>1</sup> See, e.g. Carol A. Schubert et al., *Perceptions of Institutional Experience and Community Outcomes for Serious Adolescent Offenders*. 2012. *Criminal Justice and Behavior* 39, No. 1: PP 71-93.

If every youth in our child welfare and juvenile justice system experienced this with their case manager, probation officer, or placement – enumeration and honoring of their rights – it could have a tremendous, positive impact on the way all those youth perceive and participate with their court cases moving forward.

The idea for this bill initially came out of recommendations from the Nebraska Children’s Commission’s Strengthening Families Act subcommittee several years ago, and has been the work of youth advocates with lived experience of these systems. We are here to support them as they share their expertise. Thank you to Senator Hunt for listening and bringing this legislation, and the Committee for your time and attention. I would urge you to advance LB 306 and would be happy to take any questions.