



LINCOLN

BAR ASSOCIATION

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President's Perspective

by Frank Daley, LBA President



It's been a good year for the Lincoln Bar Association. We have survived the monsoons of Field Day and enjoyed the camaraderie of Meet the Judges. We have

heard from Professor Jo Potuto about the inner workings of the NCAA; from Jon Braaten and Matt Kosmicki on the brave new world of the juvenile justice system; and from Jeff Lapin on Ethics and Electronics.

There's more to come! March 20th will bring us Professor John Lenich on Civil Procedure. Mark your calendar and plan to attend. Each session will earn you one hour of MCLE credit.

In case you haven't heard, the Lincoln Bar Association will host the traditional Barristers Show on April 9th. Adam Little has been gracious enough to step up and organize the performance. Thanks, Adam!

Recently, I asked the membership if it wished to continue with the annual Barristers Show or substitute it with another event such as a clinic with MCLE credit. I have gotten a few comments, but not many. If you have an opinion, let me know.

Due to the efforts of Jeff Lapin, the LBA has a new website. We appreciate Jeff's continuing willingness to use his technical expertise on behalf of the LBA. The new web address is:

www.lincolnbarassociation.com
(Note: .com and not .org)

Content will be added soon. There is also a permanent email address for the LBA president. That address is president@lincolnbarassociation.com. You will be able to easily communicate with whoever is serving as LBA president.

If you attend all of the LBA events

you will receive 4 hours of Continuing Legal Education Credit and six dinners all for the bargain price of \$70. Where else can you earn MCLE credit while relaxing with an adult beverage? The Lincoln Bar Association is clearly a worthwhile organization for all Lincoln lawyers.

Best wishes to all. ■

Notice of Annual Meeting

The annual business meeting of the Lincoln Bar Association will be held on April 24, 2014 beginning at 5:00 p.m. at The Nebraska Club, 20th Floor, 233 South 13th Street, Lincoln, Nebraska. The meeting will include the election of officers and board members.

Call for Volunteers

If you are an actor, singer, ideas person or a living, breathing homo sapien, homo erectus, homo habilis or a genus all your own, **Barristers** needs you! Volunteers are needed. Contact Adam Little at 402-436-3030 or arlittle@ballewcovalt.com

Volunteer attorneys and judges are needed for area high school classroom presentations on May 1, 2014 in celebration of **Law Day 2014**. This year's theme, established by the American Bar Association: "American Democracy and the Rule of Law: Why Every Vote Matters." The Lincoln Bar Association Law Day committee will provide the materials, but we need volunteers. Please save the date for approximately 1-1½ hours of your time on May 1. If you have questions, please contact committee chair Milissa Johnson-Wiles at 402-471-2955 or milissa.johnsonwiles@nebraska.gov.



Juvenile Justice Post LB 561

By Frank Daley

In a presentation before the LBA on January 16, Lincoln attorneys Jon Braaten and Matt Kosmicki highlighted the changes in Nebraska's juvenile justice system brought about by the passage of LB 561.

LB 561 was passed by the Legislature and signed by the Governor in the spring of 2013. The changes were based upon the belief that the existing system was inadequate. According to Braaten and Kosmicki, the purpose of the new law is to decrease the use of secured facilities, increase family and child engagement and use of community-based family services, increase the successful completion of probation and reduce recidivism. These goals will be accomplished by providing pre-adjudication services to the juvenile, remov-



the juvenile require detention, placement with a relative, foster care or electronic monitoring. Pre-adjudication placements by probation officers are subject to review.

Under this new system, at the first hearing the probation officer can provide the court with options for evalua-

placement? Will the juvenile's family agree to the pre-adjudication services? What will be the effect of potentially incriminating statements made during the pre-adjudication assessment stage? What are the costs to families who have assets or insurance for the services to the juvenile?

In addition, Braaten and Kosmicki pointed out procedural and due process issues which are not clearly addressed by LB 561.

The net assessment is that the next one to two years in the juvenile justice system are going to be a learning experience for the courts, the Office of Juvenile Services, probation officers and attorneys. ■



ing the Office of Juvenile Services from case/probation management, and streamlining the use of community based services. By this law, the Office of Juvenile Services is relegated to operating Youth Rehabilitation and Retention Centers.

Among the more significant changes is the pre-adjudication assessment of the child's needs. The probation officer will determine whether the interests of

tions, assessments, trackers and other front loaded services. The court may establish conditions and monitor compliance. In the past this process was used at the pre-adjudication stage in 3(b) cases.

As with any new law, there are still questions and issues to be addressed by attorneys as the law transitions into full operation in July 1, 2014. How will attorneys challenge pre-adjudication





Looking Back at the LBA

Selections from more than 20 years of Lincoln Bar Association Newsletters

This issue's feature: the first year of the Lincoln Bar Association Newsletter—1993:

Vol. I, Issue 1 – April

- "On February 1, 1993, a landmark era in the history of Lancaster County came to an end with the retirement of the Honorable W.W. Nuernberger as a judge of the Juvenile Court of Lancaster County." The first Juvenile Court Judge in the State of Nebraska, Judge Nuernberger served on the bench more than 30 years. Thomas B. Dawson, a Lincoln attorney, was appointed by then-Governor Ben Nelson to fill the vacancy.

Volume I, Issue 2 – September

- The Annual Bar Association Field day was held at the Knolls on October 5, 1993, featuring golf and tennis tournaments and a fun run/walk.

Volume I, Issue 4 – December

- Rex Schultze, then-LBA Newsletter editor, wrote an article about the first president of the Lancaster County Bar Association, Judge

Stephen B. Pound. Schultze wrote that Pound "is probably best known as being the father of Roscoe Pound, eminent legal theorist and Dean of both the University and Harvard Law Schools," but that the elder Pound was an interesting man in his own right. Arriving in Lincoln when it was merely "a village of about 30 houses," Pound went on to become one of the first six lawyers in Lincoln. Pound had an illustrious career in a variety of elected positions, including judgeships, and "so high was the estimate of his judgment and his character, that his opinion was very generally followed, even when the persons involved were not able to estimate its correctness themselves"—including, the story goes, a jury acquitting a man on the sole account of Pound being willing to represent him.

Volume I, Issue 4 – December

- An announcement that Matthew Bender is now offering a "bold, new pricing initiative" by giving free CD-ROM versions of its publications to purchasers of the print versions. ■

LBA UPCOMING EVENTS

March 205 p.m.
CLE Clinic:
Civil Procedure
presented by Professor John Lenich
6 p.m. Dinner, Nebraska Club

April 245 p.m.
Annual LBA
business meeting,
dinner, and
Barristers Show
(NOTE corrected date)
Nebraska Club

May 1Law Day
Friday, May 23 10 a.m.
Memorial Service
Courtroom 30
District Court of Lancaster County



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We'd love to help you promote your practice or business
or find needed personnel. Per issue rates:
Full Page - \$100 | Half-Page - \$60 | Quarter Page - \$35

For more information, contact Greg Walklin at
greg.walklin@nebraska.gov for more details.

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The LBA Board of Trustees reserves the right to refuse any
advertisement it deems inappropriate for publication.



Lincoln Bar Association Newsletter

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