



V00308352D01

JUVENILE COURT FOR DOUGLAS COUNTY, NEBRASKA

IN THE INTEREST OF

)

Doc. JV15

No. 78

KIYAHA MILLER

)

ADJUDICATION ORDER

A Juvenile(s)

)

AND NOTICE (Re: Mother)

JOINT FRIEND
AND
CLERK DISTRICT
EX-OFFICIO OF THE
JUVENILE COURT

2015 APR 14 PM 12:05

FILED
JUVENILE COURT
DOUGLAS COUNTY, NEBRASKA

This matter came on for adjudication hearing relating to the mother of the child on the 13th day of April, 2015, before the Honorable Vernon Daniels. Record kept by Janna Broussard.

The next court date is June 2, 2015, at 3:00 p.m.

Present in open court were Paulette Merrell, deputy county attorney; Darci Neugebauer, attorney for the mother; Katrine Herrboldt, guardian ad litem; Cindi Miller, mother; Chelsea Turner, NFC.

Being fully advised in the premises, the court finds:

1. That notice, service and jurisdiction of the court in this matter are proper;
2. That the court ordered mutual and reciprocal sequestration of witnesses;
3. That the county attorney offered **exhibits 2, 3 and 4**, which were received without objection;
4. That the county attorney and guardian ad litem called Kiyaha Miller, minor child; witness was sworn and subject to examination;
5. That the county attorney called Sarah Brock, Carol Simonson, and Mary Atwood; witnesses were sworn and subject to examination. The state rested;
6. That the guardian ad litem rested; and the mother rested without presentation of evidence;
7. That closing arguments as set forth on the record were heard;
8. That the testimonies of Kiyaha Miller and Carol Simonson are individually credible, probative and entitled to weight;
9. That Counts I-A, C and D of the petition filed herein are true by a preponderance of the evidence;
10. That the court takes judicial notice of *In re Interest of Carrdale H.*, 18 Neb App 357, 81 NW2d 622 (2010);
11. That the court cannot find Count I-B true by a preponderance of the evidence and the same is hereby dismissed;
12. That Kiyaha Miller, child herein, is within the meaning of Section 43-247 (3)(a) R.S. Nebraska 1943, Reissue of 2008 by a preponderance of the evidence insofar as her mother is concerned;

13. That it would be in the best interests, safety, and welfare of said child to remain in the temporary custody of the Nebraska Department of Health and Human Services for appropriate care, services and placement, to exclude the parental home, until further order of the court;
14. That this matter should be set for disposition hearing at which time the Nebraska Department of Health and Human Services shall present a case plan setting forth (a) the permanency objective; (b) services/steps required to bring about the permanency objective; and (c) what condition(s) must exist for the permanency objective to be achieved,

AND IT IS SO ORDERED.

IT IS FURTHER ORDERED that pending disposition, the mother shall:

1. Submit to a psychological evaluation by May 13, 2015, as arranged by Health and Human Services;
2. Have reasonable rights of strictly supervised visitation as arranged by Health and Human Services;
3. Timely notify the court of any services she deems necessary to assist with return of the child to the parental home.

IT IS FURTHER ORDERED that there shall no contact between the minor child herein and "R.J." in any manner whatsoever.

IT IS FURTHER ORDERED that the parent(s) notify the court, his/her counsel in this matter, and the Nebraska Department of Health and Human Services of any change of address and phone number within 48 hours of said change and in writing.

IT IS FURTHER ORDERED that this matter shall be set for **disposition hearing on June 2, 2015, at 3:00 p.m. (counsel to notify client of hearing).**

IT IS FURTHER ORDERED that any reports to be submitted at the next hearing (i.e., disposition, review or check hearings) shall be made available to counsel at least five business days prior to the hearing. Failure to do so could result in sanctions, including but not limited to order to show cause.

REGARDING ALLEGATIONS OF ABUSE OR NEGLECT

NOTICE: PLACEMENT OF YOUR CHILD IN FOSTER CARE MAY RESULT IN YOUR LOSS OF YOUR RIGHTS TO YOUR CHILD. IF YOUR CHILD STAYS IN FOSTER CARE FOR 15 OF THE MOST RECENT 22 MONTHS, THE COUNTY ATTORNEY OR GUARDIAN AD LITEM MAY BE REQUIRED BY LAW TO FILE A PETITION TO TERMINATE YOUR PARENTAL RIGHTS AND UNDER CERTAIN CIRCUMSTANCES MAY FILE BEFORE THE END OF THE 15-MONTH PERIOD.

Dated this 13th day of April, 2015.

BY THE COURT:

A handwritten signature in black ink, appearing to read 'Vernon Daniels', is written over a horizontal line.

Vernon Daniels
Juvenile Court Judge