

BOARD OF COUNTY COMMISSIONERS
SARPY COUNTY, NEBRASKA

RESOLUTION APPROVING INTERLOCAL AGREEMENT FOR
ADULT AND JUVENILE PROBLEM-SOLVING COURT

WHEREAS, pursuant to Neb. Rev. Stat. §23-104(6) (Reissue 1997), the County has the power to do all acts in relation to the concerns of the County necessary to the exercise of its corporate powers; and,

WHEREAS, pursuant to Neb. Rev. Stat. §23-103 (Reissue 1997), the powers of the County as a body are exercised by the County Board; and,

WHEREAS, this Board has previously entered into an Interlocal Cooperation Agreement with the State of Nebraska Probation Administration concerning the administration of the Sarpy County Adult and Juvenile Problem-Solving Court, and a new agreement has been proposed to continue those services.

NOW, THEREFORE, BE IT RESOLVED, By the Sarpy County Board of Commissioners, that the approval of the Interlocal Agreement between Sarpy County and the State of Nebraska Probation Administration, a copy of which is attached hereto, is hereby approved and the Chairman is authorized to sign the same.

DATED this 27th day of July, 2010.

MOVED by Rich Jansen, seconded
by Rusty Hike, that the above Resolution be adopted. Carried.

YEAS:

NAYS:

ABSENT:

[Signature]
[Signature]
[Signature]
[Signature]
[Signature]

none

none

ABSTAIN:

none

Attest:

SEAL



[Signature]
County Clerk

Approved as to form:

[Signature]
Deputy County Attorney

**INTERLOCAL AGREEMENT
SARPY COUNTY ADULT AND JUVENILE DRUG COURTS**

THIS AGREEMENT is made and entered into by and between the County of Sarpy, Nebraska, a political subdivision of the State of Nebraska, hereinafter referred to as the "County", and the Office of Probation Administration, an agency of the State of Nebraska, hereinafter referred to as the "Office".

WHEREAS, the Interlocal Cooperation Act, Neb. Rev. Stat. § 13-801 et seq. (Reissue 1997; Cum. Supp. 2008) provides that units of local government of the State of Nebraska and Nebraska state agencies may enter into an agreement for the joint and cooperative exercise of powers, privileges, or authority capable of being exercised by either agency; and

WHEREAS, the County has established programs for the purpose of continuing the Adult and Juvenile Drug Courts for offenders within Sarpy County, Nebraska; and

WHEREAS Legislative Bill 321 appropriated certain state dollars for the purpose of funding specialized courts, including Drug Courts; and

WHEREAS, the Nebraska Supreme Court, with the approval of the Community Corrections Council, allocated a portion of such funds to assist Sarpy County with the personnel costs for its Adult and Juvenile Drug Courts; and

WHEREAS, the parties wish to set forth an agreement wherein the Office will provide personnel costs for the Sarpy County Adult and Juvenile Drug Courts.

NOW THEREFORE, the parties mutually covenant and agree as follows:

1. The term of the agreement is July 1, 2010, through June 30, 2011. This Agreement may only be modified by mutual agreement of the parties hereto. Either party may terminate this Agreement for any reason by giving the other party thirty (30) days written notice of its intention to terminate. In the event of termination, the Office agrees to compensate the County for personnel costs up to and including the date of termination.

2. The County will facilitate the administration of Adult and Juvenile Drug Courts for the District Court of Sarpy County by and through six (6) Office employees to wit: one (1) Problem-Solving Court Coordinator, three (3) Problem-Solving Court Officers, one (1) half-time Drug Technician, and one (1) half-time Secretary, hereinafter referred to as "Staff". The aforementioned Staff shall perform the duties respectively outlined within the job descriptions as provided in Exhibits A, B, C, and D attached hereto and incorporated by this reference. The County further agrees that for so long as it operates Adult and Juvenile Drug Courts, it will do so in compliance with the rules for said courts as they may be promulgated from time to time by the Nebraska Supreme Court.

3. In consideration of providing one (1) Problem-Solving Court Coordinator, three (3) Problem-Solving Court Officers, one (1) half-time Drug Technician, and one (1) half-time Secretary, the Office shall directly pay salary and benefits for the aforementioned Staff with a sum total not to exceed Two Hundred Forty Thousand Three Hundred Forty Seven Dollars and No Cents (\$240,347.00).

4. Participants in Adult Problem-Solving Court programs in which probation personnel or probation resources are utilized pursuant to an interlocal agreement shall pay the one-time administrative enrollment fee and the monthly probation programming fee. Any participant, who defaults on the payment of any such fees may, at the discretion of the court, be removed from such program or service. This does not preclude a court or other governmental entity from charging additional local fees for participation in such programs and services. The court shall establish the administrative enrollment fee and monthly probation programming fees as follows:

Adult participants placed in a Problem-Solving Court shall pay a one-time administrative enrollment fee of thirty dollars. The fee shall be paid in a lump sum upon the beginning of program or service. Adult participants placed in Problem-Solving Courts shall pay a monthly programming fee of twenty-five dollars, not later than the tenth day of each month, for the duration of participation in a program or service.

The court shall waive payment of the monthly programming fees in whole or in part if, after a hearing, determination is made that such payment would constitute an undue hardship on the offender due to limited income, employment or school status, or physical or mental handicap. Such waiver shall be in effect only during the period of time that the participant is unable to pay his or her monthly fee.

If a participant defaults in the payment of monthly programming fees or any installment thereof, the court may revoke his or her participation for nonpayment, except that shall not be revoked nor shall the offender be imprisoned for such nonpayment if the participant is financially unable to make the payment, if he or she so states to the court in writing under oath, and if the court so finds after a hearing. If the court determines that the default in payment described is attributable to a deliberate refusal to obey the order of the court or to failure on the probationer's part to make a good faith effort to obtain the funds required for payment, the court may enter an order allowing the participant additional time for payment, reducing the amount of each installment, or revoking the fees or the unpaid portion in whole or in part.

5. Probation staff operating in conjunction with a Problem-Solving Court are likewise under the policies and procedures of the Supreme Court and Office of Probation Administration, under the direct supervision of the Chief Probation Officer or designee. The cost of training and travel shall lie with the Office.

6. Each party agrees to indemnify and hold harmless, to the fullest extent allowed by law, the other party and its principals, officers and employees from and against all claims, demands, suits, actions, payments, liabilities, judgments, and expenses (including court-ordered attorneys' fees), arising out of or resulting from the acts or omissions of their principals, officers or employees in the performance of this Agreement. Liability includes any claims, damages, losses, and expenses arising out of or resulting from performance of this Agreement that results in any claim for damage whatsoever including bodily injury, civil rights liability, sickness, disease, or damage to or destruction of tangible property, including the loss of use resulting therefrom. Further, each party shall maintain a policy or policies of insurance (or a self-insurance program), sufficient in coverage and amount to pay any judgments or related expenses from or in conjunction with any such claims. Nothing in this Agreement shall require either party to indemnify or hold harmless the other party from liability for the negligent or wrongful acts or omissions of said other party or its principals, officers or employees.

7. Each party hereby agrees to obey and comply with any and all applicable laws, rules and regulations in governing its activities under the terms of this Agreement. Furthermore, the parties agree that in providing services pursuant to this Agreement, they shall not discriminate against any employee, applicant for employment, participant, or any other person on the basis of race, color, religion, sex, disability, national origin, age, marital status, receipt of public assistance, or any other basis prohibited by applicable state or federal law.

8. It is understood and agreed by the parties hereto that if any part, term, condition, or provision of this Agreement is held to be illegal or in conflict with any law of this State or of the United States, the validity of the remaining parts, terms, conditions, or provisions shall not be effected, and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain that particular part, term, condition or provision.

9. The parties acknowledge the possibility of future reductions in State appropriations and/or County revenue. Neither the Court nor the County guarantees the continued availability of funds for the Sarpy County Adult and Juvenile Drug Courts. In the event State funds to assist the County with personnel costs for the Adult and Juvenile Drug Courts become unavailable in whole or in part, the Court may terminate this Agreement or reduce its obligation hereunder upon sixty (60) days written notice to the County. In the event the County discontinues funding for the Adult and Juvenile Drug Courts, the County may terminate this Agreement or reduce its obligation hereunder upon (60) days written notice to the Court.

10. This Agreement may not be assigned without prior written consent of the other party.

11. This agreement shall supersede any and all previous agreements between the parties regarding the subject matter covered herein, and any previous agreements are hereby terminated by agreement of the parties.

EXECUTED this 10th day of August, 2010, by the Office of
Probation Administration.

Office of Probation Administration

By: Erin T. Murphy
Title: Probation Administrator

EXECUTED this 27th day of July, 2010, by Sarpy County,
Nebraska.

THE BOARD OF COUNTY
COMMISSIONERS OF SARPY
COUNTY, NEBRASKA

By: Joni Albrecht
CHAIRMAN, SARPY COUNTY BOARD

Debra J. Noughtaling
ATTEST, SARPY COUNTY CLERK



EXHIBIT "A"

Job Title: PROBLEM-SOLVING COURT COORDINATOR

Grade 16 -- NE

Location: _____

Major Duties:

The Problem-Solving Court Coordinator, serving under the authority of the problem-solving court judge and Chief Probation Officer, is a supervisory level position which is primarily responsible for a full range of programs and services for offenders in the community. The person in this position performs administrative, managerial and supervisory work required in planning, delivery, coordination, and evaluation of services, to include case management, and offender supervision to ensure compliance with local, state, and national standards.

This position requires initiative and independent judgment as exercised in a broad framework of existing policies.

Typical examples of work: (A person in this position may not be assigned all the duties listed nor do the listed examples include all the duties that may be assigned.)

Supervises and evaluates the work performed by problem-solving court personnel; assists in the applicant interviewing and selection process for employment.

Interprets, develops, reviews and updates agency policies and procedures; communicates and trains personnel on new or revised policies and procedures.

Responsible for the distribution of cases, coordinating court appearances, and management information in order to monitor workload.

Serves as an active member of the problem-solving court team and works closely with the problem-solving court judge to ensure policies are followed, participants' needs are addressed, and program standards are met.

Negotiates and monitors contracts with community service providers.

Maintains appropriate documentation which supports compliance with federal, state, and local laws; collects and monitors data outcomes; prepares reports, as necessary, and oversees program evaluation.

Participates in problem-solving court participant program orientation; coordinates participant program activities, and provides skills training and development to problem-solving court team members and participants.

Responsible for networking with community agencies and developing relationships with stakeholders throughout the community through speaking engagements, participation on various committees and boards, and utilizing media resources.

Problem-Solving Court Coordinator (cont.):

Complies with problem-solving court, district and state Probation policies.

Completes additional tasks or duties as assigned.

Serves on committees, boards, and commissions, as requested.

Knowledge, skills and abilities required on the job:

Ability to establish, promote, and maintain positive working relationships with the court system, other criminal justice agencies, local or regional stakeholders, and treatment providers.

Working knowledge of the Standardized Model, cognitive skill building, relapse prevention, motivational interviewing, and social learning theory, and other appropriate specialized skills.

Considerable knowledge of the justice system including federal, state, and local standards relating to alternatives to incarceration.

Considerable knowledge of the functions and services of community organizations, related human services, mental health and substance abuse resources.

Knowledge of sociological, behavioral, and cultural factors influencing behavior and attitudes of offenders in the criminal justice system.

Ability to establish and maintain effective working relationships with offenders, co-workers and the general public, using evidence-based practice skills.

Working knowledge of laws, rules and regulations, and general principles applicable to drug courts.

Working knowledge of supervisory principles and practices.

Ability to interpret and explain laws, rules, and procedures.

Considerable knowledge of present programs and resources designed to reduce the impact of criminal behavior.

Ability to act promptly and effectively in a wide range of crisis situations.

Ability to coordinate multiple services and functions among various staff and programs.

Problem-Solving Court Coordinator (cont.):

Ability to work independently and assign priorities to pending projects.

Ability to use a personal computer including basic word processing and a variety of computer software applications.

Ability to collect and analyze data, evaluate program performance, and develop viable alternatives to remedy deficiencies.

Ability to effectively supervise employees and offenders according to policies, procedures and standards.

Ability to communicate effectively both orally and in writing.

Qualifications for the job:

Graduation from a four year accredited college or university with major course work in criminal justice, psychology, sociology, social work, or related field plus experience in the mental health, substance abuse or correctional field, including some supervisory experience or any equivalent combination of training and experience which provides the desirable knowledge, abilities, and skills. Licensed in substance abuse counseling (LADC) and extensive experience in the substance abuse treatment field may be substituted for the education requirement.

Advanced degree and considerable experience preferred.

Working conditions:

Some travel may be required.

Sitting behind a computer for extended periods of time.

Lifting a maximum of 20 pounds.

Approved 8-30-06

EXHIBIT "B"

Job Title: PROBLEM-SOLVING COURT TREATMENT PROBATION OFFICER

Grade 15 - NE

Location:

Major Duties:

A Problem-Solving Court Treatment Probation Officer serving under the authority of the Problem-Solving Court Coordinator and Chief Probation Officer is responsible for the supervision of problem-solving court participants. The person in this position is required to follow the rules and regulations of Probation as well as the rules and regulations of the problem-solving court. The person in this position is responsible for the day-to-day activities of these offenders in the community and will need to communicate with providers and stakeholders within the community. Work involves services and case management for problem-solving court offenders; participation in the training of staff and volunteers and assisting in developing policies and procedures.

Due to the nature of work, this position requires flexible scheduling and non-traditional working hours. This position must possess the same statutory responsibilities and authority as a traditional, ISP senior probation officer or SSAS Officer.

Typical Examples of Work: (A person in this position may not be assigned all the duties listed, nor do the listed examples include all the duties that may be assigned.)

Facilitates the treatment process of the offenders, which may include, but not be limited to, attending treatment groups and communicating with providers under the guidelines of the Standardized Model.

May be involved in the evaluation of substance abuse offenders.

May be involved in the provision of treatment services to offenders.

Matches problem-solving court participants' needs to the appropriate treatment modality or service, i.e., substance abuse, mental health, medical, housing, employment, and educational services, etc.

Establishes an appropriate case plan, which will incorporate criminogenic factors.

Participates in specialized training that addresses supervising specialized offenders.

Creates partnerships with identified community stakeholders.

Interprets data as it applies to successful performance standards for offenders.

Evaluates data based on best practices and evidence-based standards.

Creates a comprehensive network of community-wide resources.

Problem-Solving Court Treatment Probation Officer (cont.):

Visits other programs and engage providers.

Involves the offender in the early stages of behavioral changes through targeted treatment.

Available for speaking and training engagements within the community and the Nebraska Probation System.

Facilitates groups, which may include, but not be limited to, cognitive restructuring, cognitive skill building, life skills enhancement, and general education of offenders.

Familiar with the supervision of offenders as outlined in the Nebraska Probation System Policies and Procedures Manual and be capable of providing appropriate supervision of assigned cases through formal training, review of case files, and observation of other officers.

Conducts intake interviews and investigations.

Conducts investigations, as may be required by law or directed by a court in which he/she is serving.

Supervises participants in accordance with the rules and regulations of the problem-solving court and in compliance with state and district Probation policies and procedures.

Advises the problem-solving court team of Probation violations of the conditions of problem-solving court participants.

Exercises the power of arrest when necessary.

Participates, at the direction of the probation administrator, pursuant to an inter-local agreement.

Exercises all powers and performs all duties necessary and proper to carry out his/her responsibilities.

Cooperates fully with and renders all reasonable assistance to other probation officers.

Complies with problem-solving court, district and state Probation policies.

Serves as a member of the problem-solving court team, which entails attending and participating in weekly staffing meetings and problem-solving court hearings.

Attends training sessions that are necessary to perform the duties for the position.

Completes additional tasks as assigned.

Problem-Solving Court Treatment Probation Officer (cont.):

Knowledge, skills and abilities required on the job:

Ability to establish, promote, and maintain positive working relationships with the court system, other criminal justice agencies, local or regional stakeholders, and treatment providers.

Working knowledge of the Standardized Model cognitive skill building, relapse prevention, motivational interviewing, and social learning theory, and other appropriate specialized skills.

Ability to communicate effectively both orally and in writing and demonstrate the ability to interpret data.

Ability to acquaint oneself with judges, court staff, and personnel of criminal justice agencies.

Ability to acquaint oneself with school personnel, mental health facilities, alcohol and drug programs, vocational rehabilitation programs, and other community resources.

Ability to assess individual and group behavior.

Ability to assess substance abuse, criminogenic needs, and criminal involvement.

Ability to motivate offenders toward self-improvement using evidence-based practice skills.

Ability to organize and utilize time properly.

Ability to maintain a positive attitude when engaged in stressful working conditions.

Ability to work well in a team environment and comply with team decisions.

Ability to manage multiple tasks concurrently.

Qualifications for the job:

Meet basic requirements for selection as a senior probation officer and have three (3) years extensive experience working within the substance abuse or mental health field or is a licensed substance abuse counselor (LADC) with a bachelor's degree and three (3) years experience or a licensed mental health practitioner (LMPH) with three (3) years experience or within the individual's scope of practice is permitted to conduct evaluations and/or provide treatment and has three (3) years experience. A Master's degree in criminal justice or social behavioral sciences is preferred.

Problem-Solving Court Treatment Probation Officer (cont.):

Knowledge of the criminal justice system, court system, and substance abuse treatment systems would be beneficial.

Working conditions:

Some travel may be required.

Sitting behind a computer for extended periods of time.

Lifting a maximum of 20 pounds.

Approved 8-30-06

Job Title: PROBLEM-SOLVING COURT PROBATION OFFICER Grade 10-14 -- NE
Location:

Major Duties:

A Problem-Solving Court Probation Officer serving under the authority of the Problem-Solving Court Coordinator is responsible for the supervision of problem-solving court participants. The person in this position is required to follow the rules and regulations of the Probation System, as well as the rules and regulations of the problem-solving court. Work involves supervision and case management for problem-solving court offenders. The person in this position is responsible for the day-to-day activities of these offenders in the community and will need to communicate with providers and stakeholders within the community.

Due to the nature of work, this position requires flexible scheduling and non-traditional working hours. This position possesses the same statutory responsibilities and authority as a senior probation officer.

The position allows for independent decision-making, however, requires the development of additional knowledge and training.

Typical Examples of Work: (A person in this position may not be assigned all the duties listed, nor do the listed examples include all the duties that may be assigned.)

Coordinates the treatment process of the offenders which may include, but not be limited to, attending treatment groups and communicating with providers under the guidelines of the Standardized Model.

Matches problem-solving court participants' needs to the appropriate treatment modality or service, i.e., substance abuse, mental health, medical, housing, employment, and educational services, etc.

Establishes an appropriate case plan which will incorporate criminogenic factors.

Conducts and prepares reports in accordance with System standards.

Participates in specialized training that addresses supervising specialized offenders.

Creates partnerships with identified community stakeholders.

Evaluates data based on best practices and evidence-based standards.

Creates a comprehensive network of community-wide resources.

Visits other programs and engages providers.

Problem-Solving Court Probation Officer (cont.):

Involves the offender in the early stages of behavioral changes through targeted treatment.

Available for speaking and training engagements within the community and the Nebraska Probation System.

Facilitates groups which may include, but not be limited to, cognitive restructuring, cognitive skill building, life skills enhancement, and general education of offenders.

Familiar with the supervision of offenders as outlined in the Nebraska Probation System Policies and Procedures Manual and be capable of providing appropriate supervision of assigned cases through formal training, review of case files, and observation of other officers.

Completes investigations as may be required by law or directed by a court in which he/she is serving.

Supervises participants in accordance with the rules and regulations of the problem-solving court and in compliance with state and district Probation policies and procedures.

Advises the problem-solving court team of Probation violations of the conditions of problem-solving court participants.

Exercises the power of arrest when necessary.

Cooperates fully with and renders all reasonable assistance to other probation officers.

Exercises all powers and performs all duties necessary and proper to carry out his/her responsibilities.

Serves as a member of the problem-solving court team which entails attending and participating in weekly staffing meetings and problem-solving court hearings.

Complies with problem-solving court, district and state Probation policies.

Completes additional tasks as assigned.

Attends training sessions that are necessary to perform the duties for the position.

Knowledge, skills and abilities required on the job:

Ability to establish, promote, and maintain positive working relationships with the court system, other criminal justice agencies, local or regional stakeholders, and treatment providers.

Problem-Solving Court Probation Officer (cont.):

Working knowledge of the Standardized Model, cognitive skill building, relapse prevention, motivational interviewing, and social learning theory, and other appropriate specialized skills.

Ability to communicate effectively both orally and in writing and demonstrate the ability to interpret data.

Ability to acquaint oneself with judges, court staff, and personnel of criminal justice agencies.

Ability to acquaint oneself with school personnel, mental health facilities, alcohol and drug programs, vocational rehabilitation programs, and other community resources.

Ability to assess individual and group behavior.

Ability to assess substance abuse, criminogenic needs, and criminal involvement.

Ability to motivate offenders toward self-improvement using evidence-based practice skills.

Ability to organize and utilize time properly.

Ability to maintain a positive attitude when engaged in stressful working conditions.

Ability to work well in a team environment and comply with team decisions.

Ability to manage multiple tasks concurrently.

Qualifications for the job:

Meet basic requirements for selection as a senior probation officer. Four (4) years as a probation officer preferred or four years experience in a related field with extensive experience in working with substance abusing offenders. Master's degree in criminal justice or social/behavioral sciences is preferred.

Working conditions:

Some travel may be required.

Sitting behind a computer for extended periods of time.

Lifting a maximum of 20 pounds.

Approved 8-30-06

EXHIBIT "C"

Job Title: PROBATION SENIOR SECRETARY Grade 3 - NE

Location: _____

Major Duties:

This position is capable of working independently with limited supervision. The work involves a wide range of secretarial responsibilities; demands a thorough understanding of district and state policies and procedures in addition to other duties assigned by the Chief Probation Officer and/or Office Manager. Perform related work as required.

Typical Examples of Work: (A position may not be assigned all the duties listed, nor do the listed examples include all the duties that may be assigned).

Compile and maintain records, including routine bookkeeping, and assume responsibility for accuracy and completeness.

Thorough knowledge of district functions and individual duties of the secretarial staff.

Active within the Probation system and serve on committees.

May design and implement data entry projects within the probation district under the direction of a designated supervisor.

Complete various required court forms.

Act as receptionist, answer telephone, and give routine information to the public.

May open, sort, and distribute mail.

Type letters, memoranda, and reports from dictation, rough draft or copy.

Perform various other clerical duties as directed by the Chief Probation Officer, ISP Coordinator, or designated supervisor.

Knowledge, skills and abilities required on the job:

Thorough knowledge of business English, spelling, punctuation, and arithmetic.

Working knowledge of all office machines.

Demonstrate ability to establish a good rapport with court personnel and other criminal justice agencies.

Demonstrate proficiency in all areas of secretarial work and be a resource person for other secretarial staff members.

Probation Senior Secretary (cont.):

Have extensive knowledge of all equipment, machines, office procedures, and ledger keeping.

Continued desire to grow professionally through formal education, seminars, training programs, etc.

Qualifications for the job:

Graduation from high school or its equivalent.

Must serve as a Secretary II for three (3) years.

EXHIBIT "D"

Job Title: DRUG TECHNICIAN Grade 1 – NE

Location: _____

Major Duties:

This position is under the supervision of the Chief Probation Officer and assists probation staff by conducting drug screens on supervised probation cases. Also responsible for collecting and testing specimens as well as the documentation and accountability of results of the drug screen. Perform related work as required.

Typical Examples of Work: (A position may not be assigned all the duties listed, nor do the listed examples include all the duties that may be assigned.)

Collect and dispose of urine specimens in accordance with System standards.

Conduct drug screens utilizing various sanctioned testing methodologies.

Maintain accountability for specimen identification and be responsible for chain of custody evidence.

Responsible for drug testing supplies and equipment inventory.

Communicate on a regular basis with probation staff and document results of drug testing for case files.

Testify in court regarding positive drug screens.

Train field service staff regarding drug testing result documentation.

Collect statistics pertaining to drug screens for submission to the Administrative Office.

Knowledge, skills and abilities required on the job:

Prior experience working with offender populations.

Prior substance abuse or chemical testing training.

Ability to communicate effectively with staff and offenders.

Ability to follow directions.

Drug Technician (cont.):

Good oral and written communication skills.

Capable of organizing and prioritizing daily work activities.

Willingness to further one=s knowledge in the field of chemical testing.

Qualifications for the job:

Graduation from high school or its equivalent.

Successfully complete required training associated with drug screening methodologies.

Any combination of training and/or experience that will enable the successful applicant to possess the required knowledge, abilities, and skills.