October 5, 2011

Patrick J. O'Donnell
Clerk of the Legislature
State Capitol, Room 2018
Lincoln, NE 68509-4604

Re: Developmental Disabilities Court-Ordered Custody Act Report

Dear Mr. O'Donnell,

Per Neb. Rev. Stat. §71-1134, the Division of Developmental Disabilities is submitting this communication as its second annual Developmental Disabilities Court-Ordered Custody Act (DDCOCA) report. While the DDCOCA was created in 2005, the Act was first utilized during the 2009-10 fiscal year.

When an individual has been adjudicated as person "in need of court-ordered custody and treatment" under the DDCOCA, the Department of Health and Human Services is required to "evaluate" the individual and develop "a plan for custody and treatment . . . in the least restrictive alternative." If the court approves the plan, such custody and treatment will continue until an annual review hearing before the same court, where the plan may be continued, revised or discontinued, depending on the circumstances.

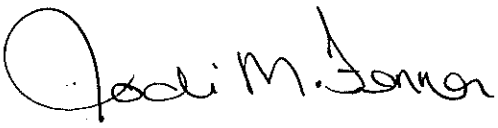
During the 2010-2011 fiscal year, $789,523.45 was spent to provide evaluations and/or services to individuals affected by the Developmental Disabilities Court Ordered Custody Act actions. A summary of the cases is as follows:

Initials	County	Previously Determined DD Eligible?	Current Residence or Service Setting	2010-11 Fiscal Year Cost	Case Status
DT	Lancaster	No	Group Home with DD Community Based Provider	$129,332.28	Plan Implemented and Monitored by Court.
SK	Saunders	Yes	Family Home with DD Community Based Services Support	$47,810.76	Successfully complying with services. Court terminated jurisdiction on September 12, 2011.
CR	Lancaster	Yes	Extended Family Home with DD Community Based Services Support	$82,583.96	Plan Implemented and Monitored by Court.

Initials	County	Previously Determined DD Eligible?	Current Residence or Service Setting	2010-11 Fiscal Year Cost	Case Status
JH	Lancaster	Yes	Group Home with DD Community Based Provider	$208,895.07	Plan Implemented and Monitored by Court.
ER	Douglas	Yes	Family Home, DD Community Based Services Supports	$3,993.26	Plan Implemented and Monitored by Court.
CC	Lancaster	Yes	Home with DD Service Coordination Service	$63,118.01	Evaluation ordered while a minor, DD Custody Act not applicable. CFS case closed on 3-11.
DB	Douglas	Pending	Jail		DD is determining eligibility at this time.
GB	Douglas	Yes	Group home with DD Community Based Provider	$4,571.65	Plan Implemented and Monitored by Court.
WK	Adams	No	Assisting Living Facility with Behavioral Health Supports	$884.10	Case dismissed by court due to mental health service provision and guardian appointed.
TL	Douglas	No	Family Home, DD Community Based Services	$436.54	Pending with the court.
FS	Lancaster	No	Home	$4,854.57	Evaluation determines individual is not DD eligible.
ET	Lancaster	Yes	Lincoln Regional Center	$5,458.02	Plan Implemented and Monitored by Court.
JD	Lancaster	Yes	Group home with DD Community Based Provider	$237,585.23	Minor not covered under the Act.

Please feel free to contact me if you have any questions or concerns regarding this information.

Respectfully Submitted,



Jodi M. Fenner, Director
Division of Developmental Disabilities
Department of Health and Human Services