

Memorandum

TO: Vocational Rehabilitation Counselors and Job Placement Specialists
CC: Vocational Rehabilitation Specialists, Kris Peterson
FROM: Glenn Morton
DATE: October 16, 2009
SUBJECT: Meeting Announcement & Results of July 31, 2009 Meeting

The next informal meeting between court staff and certified vocational rehabilitation service providers is now scheduled for Friday, October 23, 2009, at 2:00 pm. The meeting will be held at the court's administrative offices at 1221 "N" Street, Suite 402, in Lincoln (TierOne Center). Meetings are held on a quarterly basis, and tentative dates for 2010 meetings will be determined at the October 23, 2009 meeting.

The following are the results from the July 31, 2009 meeting. If you have questions or concerns about any of the discussions or decisions please notify the court's Vocational Rehabilitation Section prior to the next meeting and they will be considered at that meeting.

- 1. New Court Specialist:** Fay Woodward was introduced as a new vocational rehabilitation specialist with the court.
- 2. ESL Classes:** The court has made further contact with the Department of Education regarding improving the availability of ESL classes. The Department indicated that there have been some changes in their program, and they are looking forward to meeting with the court again about how the court could contribute to making ESL instruction more available. The court will contact the Department with proposed meeting dates.
- 3. New CRCC Ethics Guidelines:** It was announced that the CRCC has revised its ethical standards. Since the court incorporates the CRCC Code of Professional Ethics into its own ethical standards, other provisions of the court's standards should be reviewed to insure there is no conflict.
- 4. Class Schedules:** There was discussion regarding continuing problems with classes being reported on class schedules that are not on the plan of study, without an explanation being given. The bottom line is that if the class schedule does not match the plan of study there must be an explanation from the counselor for the difference. If a class is an elective it must be identified as an elective. It was understood and agreed that matching the actual class schedules with the plan of study is a difficult process for both the counselors and court specialists, given that classes change on a regular basis. Therefore, any solution must be functional for the counselors as well as the court specialists.

There were discussions and suggestions about to how the process could be improved. Holly Berquist mentioned a spreadsheet she uses for this purpose, which seems to work well. It was agreed that Holly's approach could be a significant improvement in how this is handled, and Holly offered to share her spreadsheet with other counselors and the court. (Thank you Holly!) It is envisioned that such a spreadsheet would be voluntarily used by the counselors and would be acceptable documentation for the court's specialists. Counselors not wishing to use the spreadsheet could continue with their current procedures. In essence, the spreadsheet would reflect an evolving plan of study, with it being updated as changes occur.

Following the meeting Holly shared her spreadsheet with the counselors who requested it, and the spreadsheet is now being used and accepted by the court. Holly's spreadsheet and a blank template created by the court from her spreadsheet are attached.

5. Work Opportunity Tax Credit (WOTC) Program: There was ongoing discussion regarding whether tax credits are available under the WOTC program for employers hiring disabled workers in workers' compensation cases. The court's legal staff had found no authority for such credits to be extended to workers' compensation cases, which was consistent with the position of the Department of Education. However, two of the court's specialists indicated that they had used this program in previous jobs without the employee being a client of the state rehabilitation program. Further research was conducted following the meeting, and it appears the relevant language in the WOTC program which permitted this has now been deleted. A further report will be presented at the next meeting.

6. LOE Training & Fact Sheet: It was decided at the September 14, 2007 meeting that the court staff and counselors will partner in LOE evaluation training efforts and in development of a court "fact sheet" on LOE evaluations. A first draft of the fact sheet was reviewed at this meeting and changes were recommended. A revised draft will be considered at the next meeting.

7. Next meeting agenda items. At the next meeting on October 23, 2009 we will address the following as time permits:

- a. Meeting Schedule: Set tentative meeting schedule for 2010.
- b. ESL Classes: A report on the status of the court's interaction with the Department of Education on possible collaboration to expand access to ESL classes.
- c.. LOE Training & Fact Sheet: Review of revised LOE fact sheet draft, which will be circulated at the meeting.
- d. LB 403: Discussion regarding recently announced legislative requirements for verification of clients' lawful presence in the United States and work eligibility status. See attached attestation form.
- e. General Issues: Discussion of issues of ongoing concern to the counselors and court specialists, including a reconsideration of the procedures to be followed when

grades and class schedules are not timely received by the court.

8. Future meeting agenda items. The following topics will likely be addressed at future meetings. Any suggestions for additional agenda items are welcome.

a. LOE Training & Fact Sheet: Ongoing discussions and approval of the LOE fact sheet and discussion of possible future collaboration between the court staff and counselors on LOE evaluation training efforts. Once the fact sheet has been signed off on by the specialists and counselors it will likely be submitted to the judges of the court for further input.

b. Case Closure Form: Continuing discussion of possible changes to the form, including a number of suggestions made at the meeting on July 25, 2008. The court staff will prepare a draft of a revised form for consideration at a future meeting.