

NEBRASKA SUPREME COURT

In re Interest of Joel T. et al.

321 Neb. 106 (2026) · No. S-25-096 through S-25-099 · Decided March 27, 2026

SUMMARY

The Nebraska Supreme Court affirmed termination of Oscar Kazadi Mukoma’s parental rights to his four children. The court held that his due process challenge to the juvenile court’s case plan was an impermissible collateral attack on a prior, appealable disposition order. It also concluded that statutory grounds for termination and the children’s best interests were established by clear and convincing evidence, based on Mukoma’s minimal progress toward rehabilitation and failure to comply with the case plan.

CASE DETAILS

COURT	Nebraska Supreme Court
WRITING FOR THE COURT	Bergevin, J.; Funke, C.J.; Cassel, J.; Stacy, J.; Papik, J.; Freudenberg, J.
JURISDICTION	Nebraska Supreme Court
DECIDED	March 27, 2026
DOCKET	S-25-096 through S-25-099
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeals from juvenile court orders terminating the father's parental rights to his four children.
STANDARD OF REVIEW	Juvenile cases are reviewed de novo on the record, with the appellate court reaching an independent conclusion. Questions of statutory interpretation and law are reviewed independently for a correct conclusion.
PRECEDENTIAL VALUE	Published and precedential Nebraska Supreme Court opinion.
PARTIES	Oscar Kazadi Mukoma v. State of Nebraska

TOPICS

- termination of parental rights
- parental rights
- procedural due process
- appellate procedure
- standard of review

PRACTICE AREAS

family law

juvenile law

constitutional law

QUESTIONS PRESENTED

1. Whether the juvenile court violated Mukoma's due process rights by conditioning reunification on case-plan requirements based in part on domestic-violence allegations that Mukoma contended were not properly adjudicated.
2. Whether the State proved a statutory basis for termination of Mukoma's parental rights by clear and convincing evidence.
3. Whether termination of Mukoma's parental rights was in the children's best interests by clear and convincing evidence.

HOLDINGS

1. Mukoma could not challenge the factual basis for the previously entered case plan in the termination appeal because his argument constituted an impermissible collateral attack on the final, appealable disposition order; he did not challenge the juvenile court's jurisdiction over the parties or subject matter.
2. The State proved by clear and convincing evidence a statutory basis for terminating Mukoma's parental rights, including that the children had been in out-of-home placement for 15 or more of the most recent 22 months.
3. Termination of Mukoma's parental rights was in the children's best interests because the State proved by clear and convincing evidence that he was unfit and unable or unwilling to rehabilitate himself within a reasonable period of time.

KEY QUOTATIONS

"This argument is a collateral attack on the June 2023 disposition order, which we have previously recognized is impermissible." (114)

"That presumption can only be overcome by a showing that the parent either is unfit to perform the duties imposed by the relationship or has forfeited that right." (115)

"When a parent is unable or unwilling to rehabilitate himself or herself within a reasonable period of time, the child's best interests require termination of parental rights." (117)

FACTUAL BACKGROUND

The four children were removed from their mother's residence in January 2023 because of allegations that she physically abused them, and they were placed in DHHS custody. Mukoma was ordered to comply with a case plan addressing aggression, mental health, parenting, housing, and related needs. He made little or no progress for approximately one year, did not complete several required services, had not seen the children since February 2022, was arrested during the termination proceedings, and violated a criminal-court no-contact order. The juvenile court found statutory grounds for termination, parental unfitness, and that termination was in the children's best interests.

PROCEDURAL HISTORY

The children were removed from their mother's residence in January 2023 and adjudicated under Neb. Rev. Stat. § 43-247(3)(a). At disposition, the juvenile court adopted a DHHS case plan and ordered Mukoma to comply with it. The State later filed supplemental petitions to terminate his parental rights, and the juvenile court found three statutory grounds for termination, found Mukoma unfit, and determined that termination was in the children's best interests. Mukoma appealed, and the Nebraska Supreme Court consolidated the four appeals and affirmed.

DISPOSITION

affirmed

CASES CITED

- In re Interest of Jordon B., 316 Neb. 974, 7 N.W.3d 894 (2024)
- In re Interest of Octavio B. et al., 290 Neb. 589, 861 N.W.2d 415 (2015)
- In re Interest of Mya C. & Sunday C., 286 Neb. 1008, 840 N.W.2d 493 (2013)
- In re Interest of Ty M. & Devon M., 265 Neb. 150, 655 N.W.2d 672 (2003)
- In re Interest of Joshua M. et al., 251 Neb. 614, 558 N.W.2d 548 (1997)
- In re Interest of Mateo L. et al., 309 Neb. 565, 961 N.W.2d 516 (2021)
- In re Interest of Denzel D., 314 Neb. 631, 992 N.W.2d 471 (2023)
- Quilloin v. Walcott, 434 U.S. 246, 98 S. Ct. 549, 54 L. Ed. 2d 511 (1978)
- In re Interest of Leyton C. & Landyn C., 307 Neb. 529, 949 N.W.2d 773 (2020)
- In re Interest of Jessalina M., 315 Neb. 535, 997 N.W.2d 778 (2023)