

2010-2012

Nebraska Supreme Court

Strategic Agenda





(Graphic courtesy of Nebraska Supreme Court)

The expanse of the south wing of the Nebraska State Capitol is the home of the Nebraska Supreme Court. The courtroom is located at the end of the main hallway flanked by the Legislative and Executive branches. Behind the Supreme Court bench, carved in the stone, is a variation of the state seal that Bertram Goodhue designed for Nebraska. It was never adopted by the legislature. The seal consists of a bison head atop three books of law placed on a helmet and a shield of armor, on the face of which is a Roman fasces balancing the Scales of Justice. At the base of the shield is a scroll interwoven with goldenrod, the state's flower, which contains the state's motto: EQUALITY BEFORE THE LAW. Photo above.

The courtroom's coffered ceiling contains over 8,000 separate pieces of inlaid walnut. The pieces were manufactured in Boston, Massachusetts and shipped to Lincoln where they were assembled and suspended from the ceiling above. Designs of corn and acorns are painted in gold and blue. Photo right.

NEBRASKA JUDICIAL BRANCH STRATEGIC AGENDA 2010-2012

The Nebraska Judicial Branch has six overarching goals for its 2010-2012 strategic agenda. This document identifies those goals and their respective objectives and initiatives. It is essential that in the twenty-first century, the provision of justice is sustained and maintained through a system of impartial, fair, and accessible courts and related services in order to achieve community safety, promote the general welfare, and encourage civility among people. The six overarching goals of the Nebraska Judicial Branch are:

Goal 1: Providing Access to Swift, Fair Justice

Goal 2: Protecting Children and Vulnerable Adults

Goal 3: Addressing Community Safety

Goal 4: Being Accountable to the Public

Goal 5: Strengthening Communication with Citizens and Government

Goal 6: Regulating the Legal Profession



Nebraska Supreme Court in the State Capitol, Lincoln, Nebraska



The Nebraska Supreme Court bench seats the seven Supreme Court justices. The panel in front of the bench is solid American walnut inlaid with seventeen different kinds of wood.

The Constitution of the State of Nebraska, as amended in 1970, vests general administrative authority in the Supreme Court over all courts and provides for that authority to be exercised by the Chief Justice.

GOAL 1: PROVIDING ACCESS TO SWIFT, FAIR JUSTICE



A more detailed strategic plan for statewide court technology is available through the Administrative Office of the Courts and Probation.

The role of courts is to swiftly and fairly resolve cases. To accomplish this goal the courts must be impartial, efficient and accessible for the user. Our judicial system is based upon the principle that all citizens coming before the courts are entitled to equal justice. Courts must ensure that the accused fully understand their rights and that those rights are protected. Courts must provide meaningful access to all, ensuring that no litigant is denied justice due to the lack of counsel or the inability to understand legal proceedings. Victims of crime should have access to resources to assist them through the criminal process. Participants in the court process should have physical access to safe, secure courthouses. To that end, this strategic goal focuses on the following areas: providing adequate funding for the Judicial Branch; ensuring quality continuing education for judges and staff of the Judicial Branch; implementing and maintaining modern technology to support the work of the courts; addressing bias in the judicial system; providing meaningful assistance to self-represented litigants; creating user-accessible courts that effectively utilize technology and efficiently process and manage cases to resolve disputes in a fair and timely manner; continuously examining processes and systems to find ways to improve how trial and appellate courts conduct their business; and plan for courthouse accessibility and security.

- Funding for the Judicial Branch
- Technology and the Courts
- Fairness in the Judicial System
- Constitutional Rights and Criminal Justice
- Case Management Procedures
- Alternative Dispute Resolution
- Self-Represented Litigants
- Access to Courts
- Courthouse Accessibility, Security, and Continuity of Operations
- Judicial Branch Education

GOAL 2: PROTECTING CHILDREN AND VULNERABLE ADULTS

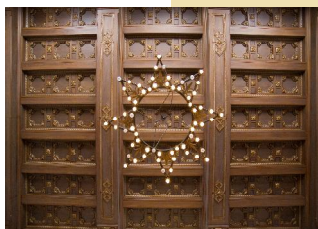


Nebraska's children and families are precious resources. Courts must be able to act swiftly and justly in child abuse and neglect cases so children in these vulnerable situations can be kept safe and cared for while seeking permanency. At the same time courts must ensure that the rights of the parents are being addressed. In domestic relations cases in which children are involved, courts must be able to offer procedures and resources to decrease children's exposure to parental conflict, as well as make timely decisions so parents have certainty in their roles and responsibilities. Teens involved in juvenile court proceedings require a unique array of interventions from the court and community to address the legal and habilitative concerns of these young people. Judges and court staff must be knowledgeable about the legal, societal, and familial impact of domestic violence on parents and children involved in dissolution or child welfare matters. Additionally, protecting children includes an active role by court to support permanency for children through legal adoption after timely relinquishment or termination of parental rights. Vulnerable adults are those individuals who, due to disability or aging, require involvement by the courts in terms of conservatorships, guardianships, and related actions. As the population of our state continues to age, the impact on courts in these arenas will also increase.

- Abused and Neglected Children
- Children and Families in Domestic Relations Cases
- Juvenile Justice
- Adoption and Termination of Parental Rights
- Addressing the Needs of Vulnerable Adults



GOAL 3: ADDRESSING COMMUNITY SAFETY



A more detailed strategic plan for the statewide probation system is available through the Administrative Office of the Courts and Probation.

Courts are required to determine the appropriate sanctions or disposition for individuals who violate the law. When a court determines probation to be the most appropriate action, it must ensure that the individual offender not only is held accountable, but also is offered rehabilitative services designed to reduce or eliminate future criminal activity. Those offenders, including youth, with histories of substance abuse or mental illness present a unique challenge.

Innovative approaches, such as specialized probation programs, restorative justice, or problem solving courts, must be considered to reduce offender recidivism and promote public safety. Successful management of juvenile and adult probation populations requires following proven principles of effective community supervision and using treatment and rehabilitation programs supported by research and experience. It also requires accurate, relevant, and timely information.

Initiatives that enhance probation supervision call for increased technology, advanced officer skill competency, access to services, and improved methods to assist probationers with special needs.

In Nebraska, as well as across the country, more specialty courts and specialized probation programs have been created. Problem-solving and drug courts result in a significant costs savings to the courts and for the state. It is estimated that a tremendous cost savings for the state results when a case is handled through drug court versus incarcerating an offender for one year. Recidivism rates for drug court participants also are shown to be less than those incarcerated. Presently, Nebraska has 26 drug courts, most designed to work with adult offenders, with some addressing the needs of juveniles and families. Currently, problem-solving courts are available in 10 of the 12 judicial districts in the state. Similarly, probation programs specializing in the management of adults and youth who sexually harm, abuse substances or engage in domestic violence, incorporate proven practices for risk-reduction and are yielding positive outcomes.

- Problem-Solving and Drug Courts
- Probation Services

GOAL 4: BEING ACCOUNTABLE TO THE PUBLIC

The Judicial Branch, like the Executive and Legislative Branches of government, must be accountable to the public. This goal focuses on the obligation of courts and probation to ensure that staff at all levels are competent, professional, fiscally responsible, and customer service oriented; to establish standards by which court and probation operations and performance can be measured; to keep all branches of government and the public informed of Judicial Branch operations, programs, and initiatives; and to develop a clear strategic agenda that fosters public trust and confidence. Confidence in our judges is at the heart of maintaining the public's trust in the Judicial Branch. Allegations of misconduct must be investigated and resolved timely and fairly.

- Customer Service Oriented Workforce
- Performance Standards for the Judicial Branch
- Professional Ethics and Conduct Codes



GOAL 5: STRENGTHENING COMMUNICATION WITH CITIZENS AND WITHIN GOVERNMENT



Nebraska Supreme Court
Strategic Agenda Online:
[www.supremecourt.
ne.gov/strategic-agenda.pdf](http://www.supremecourt.ne.gov/strategic-agenda.pdf)

While the Judicial Branch is a branch of government independent from the other two, it does not exist in isolation. Courts exist to serve the public and cannot serve effectively if meaningful communication between the branches, within the branch, and with the public does not take place. This goal focuses on enhancing Judicial Branch communication with the Executive and Legislative Branches of state government, with all other levels of government, with the public, and with other courts.

The Judicial Branch also should foster public understanding of the role of the branch and how it functions through community outreach and education programs. The Judicial Branch should provide information regarding the duties of a judge and the merit selection process.

External Communications

- Executive and the Legislative Branches
- Local Governmental Groups
- Programs and Initiatives for Public Understanding of the Judicial Branch

Internal Communications

- Coordination between the Chief Justice and the Presiding Judges
- Outflow of Information to Judicial Branch Staff

GOAL 6: REGULATING THE LEGAL PROFESSION

The Judicial Branch has long recognized the indispensable role of the legal profession in protecting rights and liberties in a free society. We continue in that tradition. Because the Supreme Court regulates the practice of law, the Court must determine how the legal profession can best serve the public. This strategic goal requires ongoing examination of existing rules governing the practice of law; addressing attorney admission and disciplinary systems; and implementation of the new Mandatory Continuing Legal Education (MCLE) rule.

- Attorney Admissions Process
- Counsel For Discipline
- Mandatory Continuing Legal Education
- Rules of Practice in Appellate and Trial Courts



JUSTICES OF THE NEBRASKA SUPREME COURT



Nebraska Supreme Court
Strategic Agenda Online:
[www.supremecourt.
ne.gov/strategic-agenda.pdf](http://www.supremecourt.ne.gov/strategic-agenda.pdf)

The Nebraska
Supreme Court:
Justice Michael
McCormack, Justice
John Gerrard,
Justice Lindsey
Miller-Lerman,
Justice Kenneth
Stephan, Chief
Justice Michael
Heavican, Justice
William Connolly,
Justice John Wright.

Photo by David Dale
of David Dale
Photography, Lincoln,
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Nebraska Supreme Court

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