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ANNUAL REPORT

Nebraska Judicial
Branch

FISCAL YEAR 2023
7.1.22-6.30.23



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Annual Report | FY23

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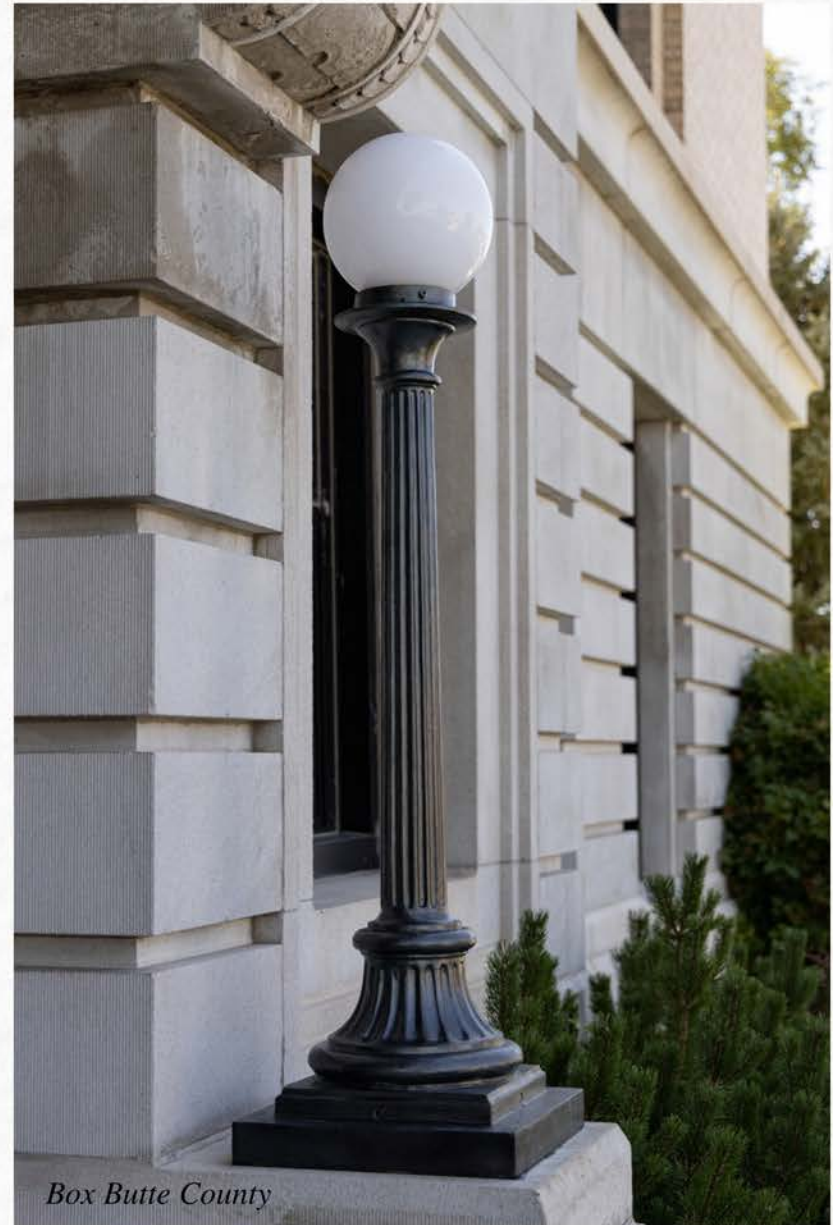
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This Judicial Branch annual report presents the commendable efforts of our staff and judges over this past fiscal year. Their exemplary work was emphasized in my 'State of the Judiciary' speech in January 2023, where I emphasized the need to retain these diligent and dedicated Branch members despite the allure of private sector opportunities.

The Court began fiscal year 2022 with a noteworthy visit to western Nebraska, during our customary summer tour. Every summer, we devote an entire week to travel beyond the Lincoln area, engaging with judges, court, and probation staff, and participating in local events. In 2022, our itinerary led us through the panhandle, where we were joined by state senators, county commissioners, tribal leaders, and community representatives.

The Court extends its gratitude to Nebraska's county commissioners, court staff, and local leaders who contribute to the seamless functioning of our court system. Additionally, the Court acknowledges the considerable expansion of services provided by Nebraska's judges and Judicial Branch staff over the past several years, benefiting individuals and communities across the state.

It is a privilege to witness the compassion, sacrifice, and ingenuity exhibited by the members of our Judicial Branch as we travel the State. We have observed the positive outcomes achieved by those who continually strive to discover improved and more efficient approaches to delivering court services.

Among the photographs in this report, you will find images of the Court's summer tour, capturing new programs and documenting valuable outreach. Each endeavor undertaken by our judges and judicial branch staff, as well as every new program launched, reinforces the commitment of the Judicial Branch to ensuring equality before the law for all Nebraskans.

Keeping in mind all the members of the Nebraska Judicial Branch, the Court is pleased to present the Fiscal Year 2022-2023 Annual Report.

A MESSAGE FROM:
CHIEF JUSTICE HEAVICAN



The Court hears oral arguments before law students at Creighton University.



CHIEF JUSTICE MICHAEL G. HEAVICAN
Statewide - Chief Justice
Judicial Oath: October 2, 2006

JUSTICE STEPHANIE F. STACY
District 1 - Lincoln
Judicial Oath: September 28, 2015

JUSTICE LINDSEY MILLER-LERMAN
District 2 - Omaha
Judicial Oath: September 1, 1998

JUSTICES OF THE NEBRASKA SUPREME COURT

JUSTICE WILLIAM B. CASSEL
District 3 - O'Neill
Judicial Oath: May 9, 2012

JUSTICE JONATHAN J. PAPIK
District 4 - Omaha
Judicial Oath: April 11, 2018

JUSTICE JEFFREY J. FUNKE
District 5 - Nebraska City
Judicial Oath: August 2, 2016

JUSTICE JOHN R. FREUDENBERG
District 6 - Rushville
Judicial Oath: July 6, 2018



*Top Row: Justice Jonathan J. Papik, Justice Stephanie F. Stacy, Justice Jeffrey J. Funke, Justice John R. Freudenberg
Bottom Row: Justice Lindsey Miller-Lerman, Chief Justice Michael G. Heavican, Justice William B. Cassel*

NEBRASKA COURT OF APPEALS



**JUDGE
RIKO
BISHOP**

District 1
Judicial Oath:
August 20, 2013

**JUDGE
DAVID K.
ARTERBURN**

District 4
Judicial Oath:
January 17, 2017

**JUDGE
LAWRENCE E.
WELCH, JR.**

District 5
Judicial Oath:
March 28, 2018

**CHIEF JUDGE
MICHAEL W.
PIRTLE**

District 2
Judicial Oath:
July 6, 2011

**JUDGE
FRANKIE J.
MOORE**

District 6
Judicial Oath:
January 28, 2000

**JUDGE
FRANCIE C.
RIEDMANN**

District 3
Judicial Oath:
August 9, 2012

The Nebraska Constitution provides that general administrative authority over all the courts in the state is vested in the Supreme Court and shall be exercised by the Chief Justice (Nebraska Const. art. V).

At the local level, trial court judges are responsible for the operation of the court system. They are tasked with providing leadership within their judicial district to enrich the well-being of the court system.

The Court supports a number of commissions and committees consisting of citizens, judges, and lawyers who collaborate to improve the delivery of justice throughout the state. A complete listing of committees and their members can be found on the Judicial Branch website under the Administration section.

New Judges, FY2023

County Court:

Denise J. Kracl	Judicial District 5	9/6/22
Richard R. Smith	Judicial District 1	9/30/22
S. Colin Palm	Judicial District 2	10/11/22
Aaron J. Conn	Judicial District 12	1/10/23
Thomas J. Klein	Judicial District 6	1/25/23

District Court:

David J. A. Bargaen	Judicial District 1	7/1/22
Katie L. Benson	Judicial District 4	7/21/22
Cindy R. Volkmer	Judicial District 11	11/10/22
Matthew O. Mellor	Judicial District 3	3/2/23

Separate Juvenile Court:

Sarah M. Moore	Sarpy County	9/23/22
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Judicial Associations

Each level of the trial court system has an association providing leadership for its judges. Presidents of the associations for the 2021-22 fiscal year:

- **District Court Judges' Association:** Judge Travis P. O’Gorman, 12th Judicial District
- **County Court Judges' Association:** Judge Randin R. Roland, 12th Judicial District
- **Separate Juvenile Judges' Association:** Judge Elise M. W. White, Lancaster County



Judicial Leadership

Chief Justice Heavican convenes the annual Leadership Conference, comprised of those chairing Supreme Court commissions and committees. The conference enhances the leadership and administrative skills of trial court judges and promotes innovative branch-wide programming.



Judicial Excellence

Judge Rick Schreiner, Gage County District Court (Service to the Community) and Judge Randin Roland, Cheyenne County Court (Service to the Judiciary), were presented with the Supreme Court's highest honor on October 12, 2022, in honor of their meritorious projects and exemplary accomplishments beyond their day-to-day duties as a judge. Find out more at: nejudicial.com/3SeavxH



OCTOBER 2022

59

NEW PROBATION
OFFICERS SWORN-IN



On any given day in Nebraska, there are over 13,000 adults and over 2,000 juveniles who are under probation supervision. Each success can be defined as one less crime, one less victim, one step closer to a safer community.



Nebraska Probation

LEADING THE WAY NATIONALLY

The American Probation and Parole Association (APPA) held its 2023 Region IV Winter Regional Training Institute in Omaha on February 5-7, 2023, with over 330 individuals from across North Dakota, South Dakota, Nebraska, Kansas, Colorado, Missouri, Iowa, Minnesota, Wisconsin, and more in attendance.

Content included over 44 presentations amongst five plenary sessions relevant to probation, parole, the judiciary, and other facets of community corrections. Several Judicial Branch staff lead presentations on developments in the field. Find out more at: nejudicial.com/appa23



NEBRASKA COURT STRUCTURE

NEBRASKA SUPREME COURT - Chief Justice and 6 Justices

Highest Appellate Court:

- Discretionary appeals from the Court of Appeals
- Mandatory appeals in
 - capital cases
 - cases concerning constitutionality of statutes
- May hear cases removed from or that have bypassed the Court of Appeals by a petition of further review
- Original Jurisdiction: Specified Cases

COURT OF APPEALS - 6 Judges (Panels of 3 judges hear appeals throughout state)

Intermediate Appellate Court:

- Trial court appeals except those heard by Supreme Court pursuant to:
 - mandatory jurisdiction
 - direct appeal status
 - removal procedures
 - bypass procedure

SEPARATE JUVENILE COURTS -

12 Judges

- Serving 3 counties
(Douglas, Sarpy, & Lancaster)
- Jurisdiction:
 - County Court
 - Juvenile & domestic jurisdiction

DISTRICT COURTS -

57 Judges

- Serving 12 districts
- Trial court of general jurisdiction:
 - Felony cases
 - Domestic relations cases
 - Civil cases over \$57,000
- When serving as an appellate court:
 - Some county court appeals
 - Administrative agency appeals

WORKERS' COMPENSATION COURT - 6 Judges

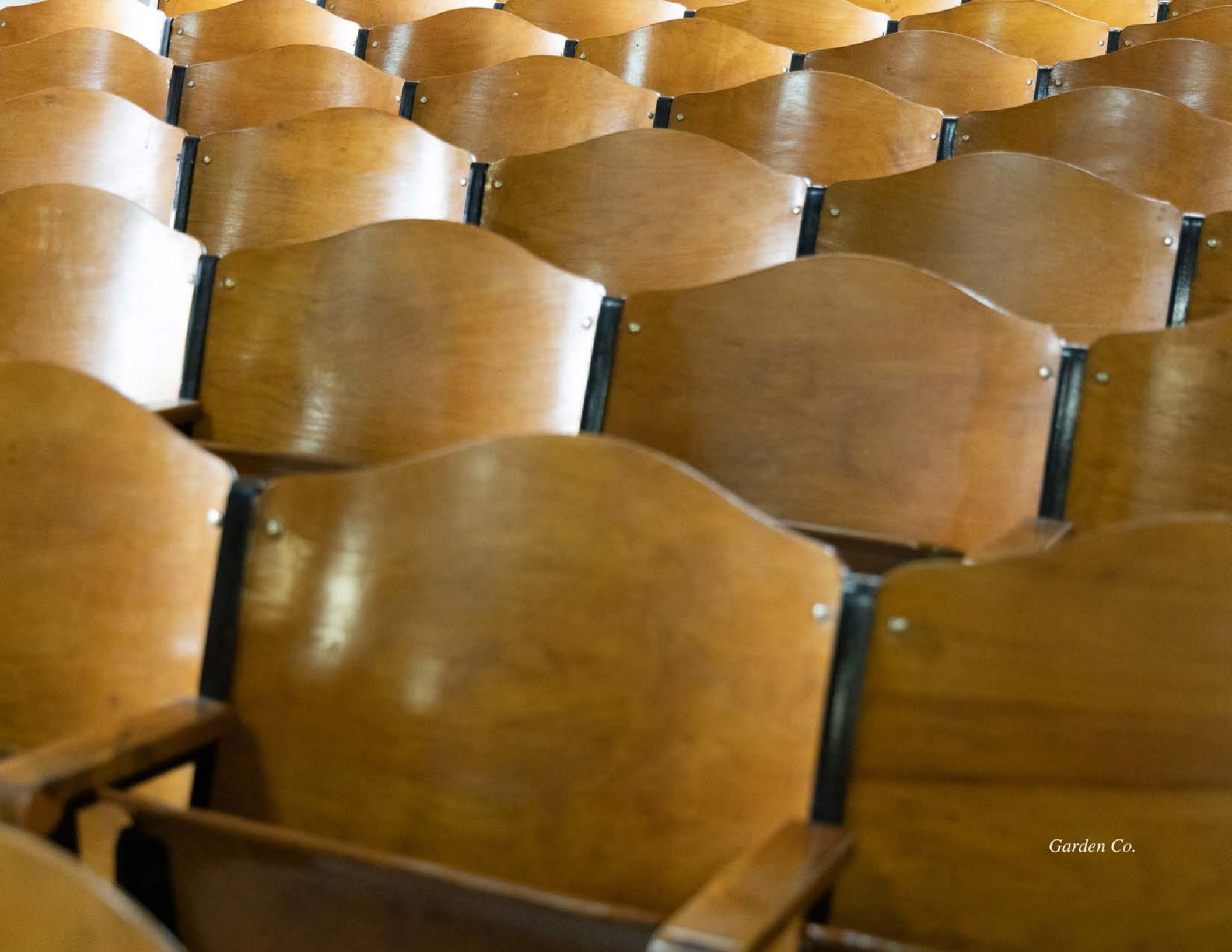
- Hear cases throughout the state
- Jurisdiction:
 - Injuries or diseases caused
by work

COUNTY COURTS -

59 Judges

- Serving 12 districts
- Jurisdiction:
 - Misdemeanor cases, including traffic, and municipal ordinance violations
 - Preliminary hearing in felony cases
 - Civil cases involving less than \$57,000
 - Small Claims involving less than \$3,900
 - Probate, guardianship, conservatorship, adoption, and eminent domain
- Function as juvenile courts except in Douglas, Sarpy, and Lancaster Counties





Garden Co.

August 2022

Chief Justice's
**SUMMER
TOUR**

Dawes Co.

EQUALITY
BEFORE THE LAW

What began as a summer 2009 visit to the 10th Judicial District to view the area's innovative use of technology turned into a goal by the Chief Justice to visit each Nebraska courthouse during the tenure of his administration. Heavican had visited many state and federal courthouses before becoming Chief Justice but felt he would like to visit every county courthouse while serving as the leader of the third branch of government.

2022 marked the completion of that goal.



Judge Derek Weimer, along with dual court clerks Jonna Jasnoch and Joan Hansen, greeted the group on his first stop of the summer tour in Garden County. All three presented their analysis of the outcome of merging the court clerk's offices and discussed the learning process over the past couple of years.

Below, Lexington Reporting Center staff greeted the tour and showed them day-to-day business operations in their facility.





CHIEF STANDING BEAR

JUSTICE ADMINISTRATION BUILDING

July 21, 2023

LR271 of the 177th Legislature designated 521 South 14th Street as the Chief Standing Bear Justice Administration building. Justice Stephanie Stacy and State Court Administrator Corey Steel were on hand to commemorate the event with the Ponca Tribe of Nebraska at the official unveiling. Find out more at: nejudicial.com/csb





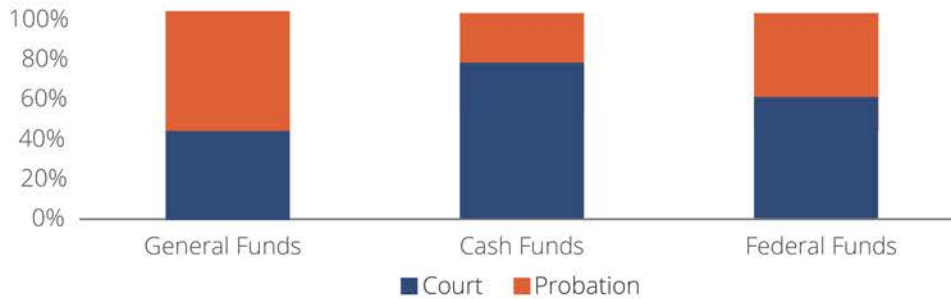
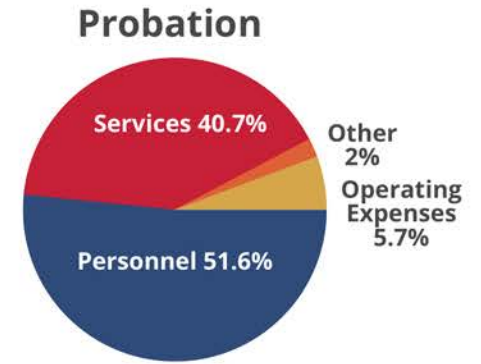
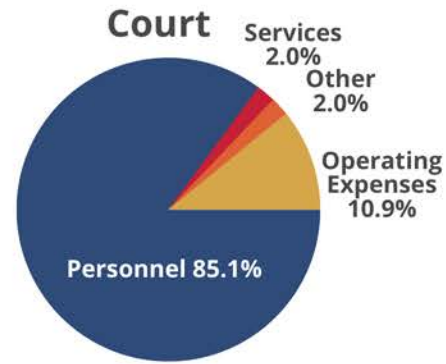
Chief Standing Bear
Justice Administration Building

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- 36 Information Technology
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Total Expenditures by Major Account Category FY23

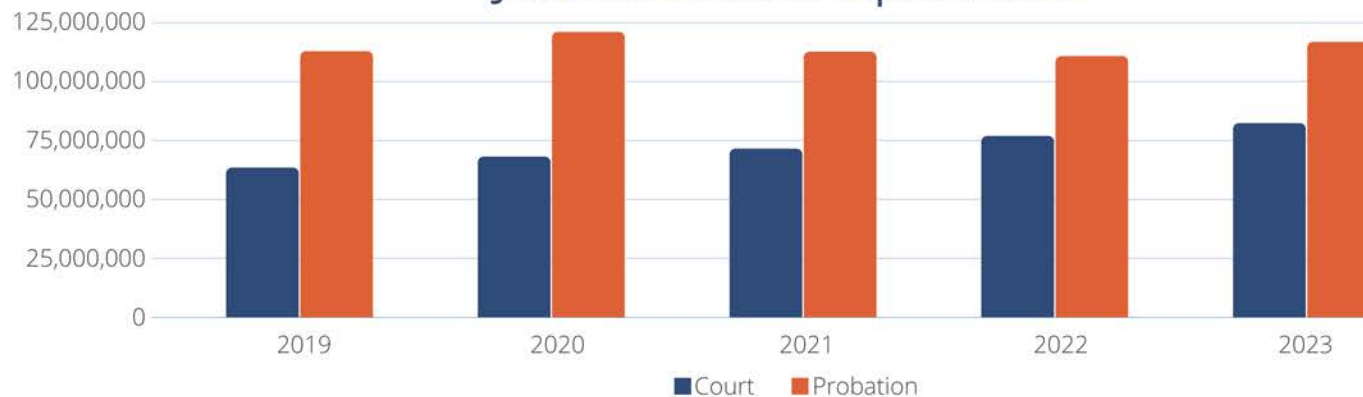
	Court	Probation	Total
Personnel	75,477,421	61,043,013	136,520,434
Operating Expenses	9,650,623	6,745,330	16,395,953
Services	1,802,809	48,099,971	49,902,780
Travel	1,003,838	1,650,451	2,654,289
Equipment/IT Projects	-	682,507	682,507
Grant-in-Aid	770,000	-	770,000
Total	88,704,691	118,221,272	206,925,963



Total Expenditures by Fund Source FY23

	Court	Probation	Total
General Funds	82,123,832	116,465,655	198,589,487
Cash Funds	5,709,100	1,262,461	6,971,561
Federal Funds	871,759	493,156	1,364,915
Total	88,704,691	118,221,272	206,925,963

General Fund Expenditures for Judicial Branch Operations



COURT SERVICES

Amy Prenda, Deputy Administrator

The **Court Services Division** provides administrative support to the trial courts. This division is responsible for communicating Supreme Court administrative policy and providing procedural standards and publications for trial court operations. Intense focus is placed on areas related to working with and educating court staff and interpreters; developing and maintaining court forms and procedures manuals; providing support to the statewide child support referees; and providing support for special interest issues like access to justice, self-represented litigants, and mediation.

The Court Services Division also serves as a liaison to trial court-related associations and committees.

COURT SERVICES DIVISION

Office of
Dispute
Resolution

Trial Court
Services

Language
Access

Access to
Justice



Trial Court Services supports the Nebraska Supreme Court in its administrative and supervisory authority as set out by the Nebraska State Constitution, art. V, sec. 1. Specifically, Trial Court Services provides support and resources to district, county, and separate juvenile courts and provides assistance and trial court services resources to the public.



Improving the ability of individuals to navigate court processes without an attorney:

Provided new and improved resources – posters, forms and instructions, and a glossary of legal terminology for self-represented litigants to navigate the county and district courts in Nebraska.

Developed resources using common language, reducing the frustration for self-represented litigants and assisted staff navigating the fine line between providing legal advice and process information.



Partnering within administration and with court staff in county and district courts to develop new and updated education and informational materials to help court staff assist the public by:

Provided new education and informational materials for court staff in complex cases like estates and guardianships and conservatorships.

Provided support, guidance, and education to 16 newly elected and 7 newly appointed clerks of the courts.

Supported committees and commissions which serve to improve access to justice, court security, guardianships and conservatorships, and resources for judges, court staff and the public.

Assisted court reporting personnel and court staff navigating changes to processes under rules adopted by the Nebraska Supreme Court to modernize the courts.



Court Services

OFFICE OF DISPUTE RESOLUTION

The **Office of Dispute Resolution** (ODR) oversees the development of dispute resolution with a focus on the six ODR-approved non-profit mediation centers and court-connected programs across the state. The six mediation centers approved by ODR provide Nebraskans access to court alternatives through dispute resolution.

Services include: Basic Mediation, Parenting Act Mediation, Child Welfare Mediation/Facilitation, and Restorative Justice Facilitation.

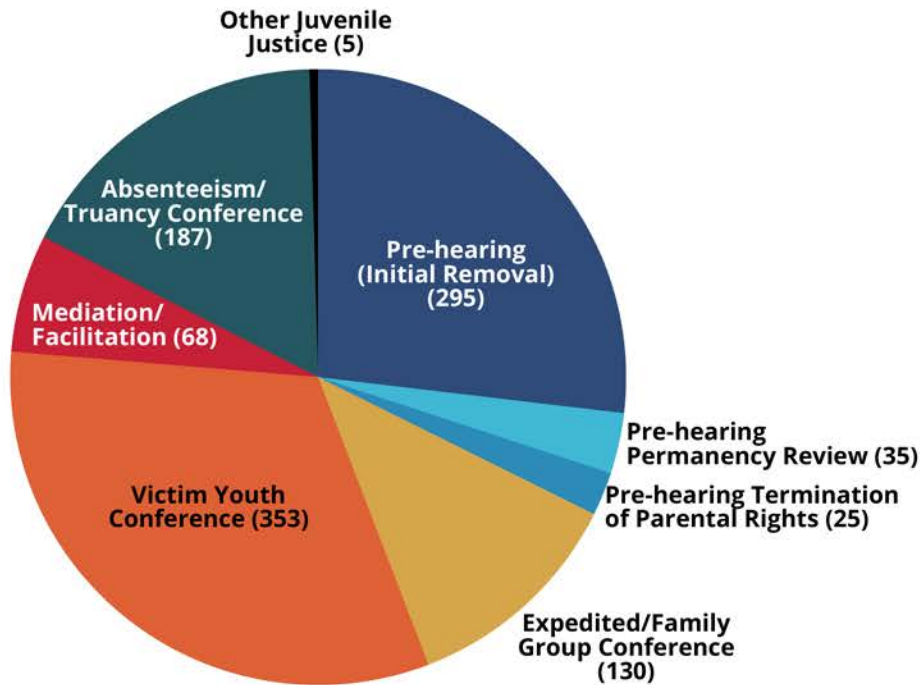


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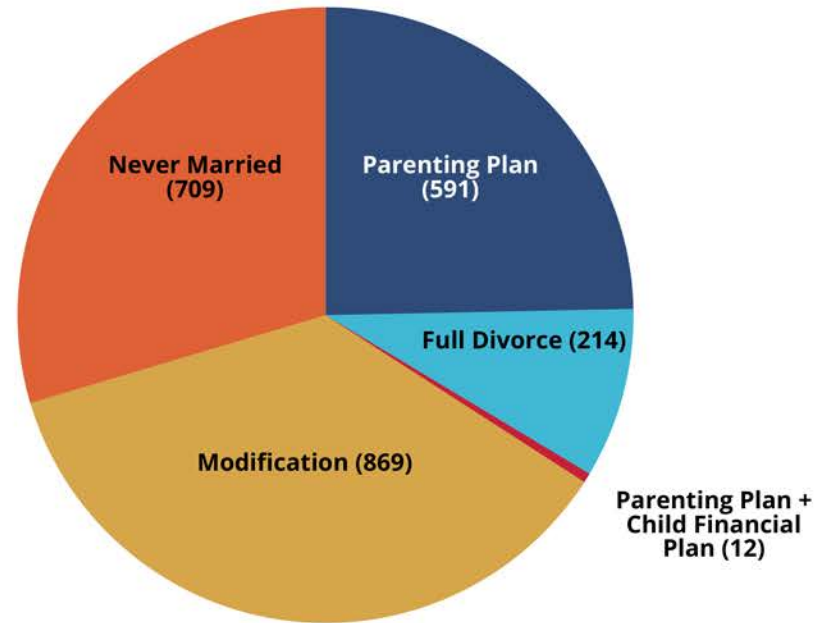
TOTAL CASE VOLUME

Parenting Plan (2,395), Family (122), General/Community (667), Child Welfare (546), Juvenile Restorative Justice (552), Adult Criminal (6), Undefined (3)

Child Welfare & Juvenile Restorative Justice



Parenting Plan Mediations



The vision of the Nebraska Access to Justice Commission is to achieve 100 percent access to justice for all.

The mission of the Access to Justice Commission is to identify barriers to equal access in Nebraska and to recommend and coordinate effective solutions so that all court users have equal access to swift, fair justice.



During FY2023, the work of the Access to Justice Commission and its Standing Committees focused on several key initiatives in the Commission's 5-year Strategic Plan. The full strategic plan is available at: nejudicial.com/a2jplan

Resources for Self-Represented Litigants: As the number of self-represented litigants (SRLs) in Nebraska's court system continues to grow, the Commission's SRL Committee continues its work to expand and improve the resources available to SRLs so they can navigate the court system effectively and efficiently. During FY2023 the SRL Committee developed and recommended plain language initiatives that include revising court forms and streamlining self-help resources on the Supreme Court website. The Committee continues to support adoption and implementation of an e-filing process for SRLs, is collaborating with the 4th Judicial District in Douglas County to develop a court-staffed Self-Help Center, and continues to study the use of non-attorney navigators at all court levels.

Assistive Listening Systems: As a result of the Commission's collaboration with the Nebraska Commission for the Deaf and Hard of Hearing to improve communication access for court users, the Nebraska Judicial Branch included assistive listening technology as part of their technology upgrades of all the courtrooms in the state. As a part of those upgrades, all Nebraska courtrooms will be equipped with an assistive listening system to improve communication access for court users, court staff, witnesses, and judges experiencing hearing loss.



Racial Equity in the Courts Initiative: In 2020, Chief Justice Heavican asked the Access to Justice Commission to engage the public in a discussion of racial equity to learn, directly from court users, about any disparity in our courtrooms and court processes. The Commission responded by developing a three-phase initiative to engage court users, community leaders, judges, lawyers, court staff, and probation staff in a discussion of racial equity in the courts. Phase I was a statewide Court User Survey that measured current perceptions of access and fairness among those using our state courts.

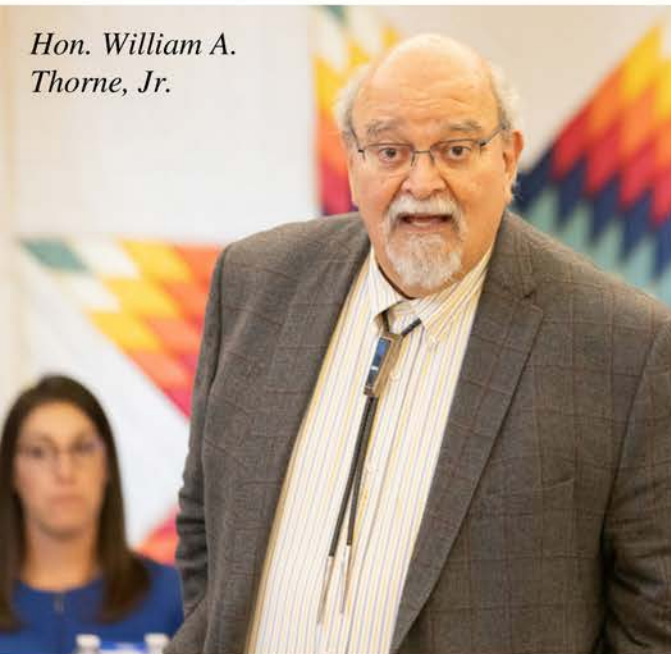
The Commission has been implementing Phase II during FY2023, and during the summer started convening focus groups with court and community leaders in eight of Nebraska's most racially diverse communities to learn about local concerns impacting racial equity in the state court and probation systems. The information and experiences shared during these focus groups will be used to inform Phase III, which will be state-wide public engagement sessions that facilitate discussion of the various concerns identified through the community focus groups and the reforms needed to address those concerns.

Improving Equity and Fairness: In FY2023, the Commission's Equity and Fairness Committee coordinated a comprehensive study of the in forma pauperis procedure in Nebraska and is proposing specific reforms (both procedural and statutory) to improve uniformity. The committee also studied the current procedure for collecting demographic data on the race and ethnicity of prospective jurors, and proposed revising the Juror Questionnaire and related court rules to improve the uniform collection of reliable data to assist in ensuring that jury pools are representative of the community. The committee is also developing a standard jury instruction that addresses implicit bias.

COMMUNITY LISTENING SESSIONS

In August of 2022, the **Consortium of Tribal, State, and Federal Courts** traveled to Scottsbluff and Rushville to hold two facilitated listening sessions with Native American communities. Similar to listening sessions held previously in Omaha, Niobrara, Macy, and Winnebago in 2019, these listening sessions were facilitated by Judge William A. Thorne, Jr., a Pomo/Coast Miwok Indian from northern California who has served as a tribal judge in 10 states, served as a state court appellate judge, and is a nationally recognized expert on policies and programs to support Native American children and families.

These listening sessions engaged more than 200 members of Nebraska's Native American communities in an open dialogue with Nebraska judges and court leaders regarding perceptions and experiences involving Nebraska's tribal, state, and federal court systems.



Hon. William A. Thorne, Jr.



Key Issues Identified:

- Develop and expand education and resources specific to Native American court users.
- Develop education and resources for court users and judges focused on the Indian Child Welfare Act (ICWA), and identify ways to expand the availability of advocates for Native American children and families in tribal courts.
- Clarify jurisdictional issues and promote improved coordination of tribal, state, federal and local law enforcement and community corrections.
- Facilitate the expansion of community services, support, and treatment for Native Americans across the state.
- Facilitate better communication and more timely engagement between Tribes, State and Federal government, and court and probation staff to improve legal outcomes and increase public trust and confidence in the courts.

- Read the full report on these listening sessions and priority next steps here:
nejudicial.com/csrtmreport22





Court Services

LANGUAGE ACCESS

The **Language Access Program** recruits, trains, and certifies spoken language court interpreters and coordinates the appointment of qualified professional interpreters across the state to serve as communication conduits for limited English proficient (LEP) court and probation users at no cost to LEP individual, regardless of case type. It is comprised of individuals with a resolute commitment for providing high-quality language services in multiple forms, including Communication Access Real Time Translation, document translation, in-person, phone, and video interpretation.

HISTORY	
1964	CIVIL RIGHTS ACT
1973	NE LEGISLATIVE BILL 116 APPROVED
1974	US SUPREME COURT DECISION LAU V NICHOLS
1978	COURT INTERPRETERS ACT OF 1978
1990	AMERICANS WITH DISABILITIES ACT
2000	EXECUTIVE ORDER 13166
2023	50TH ANNIVERSARY OF LANGUAGE ACCESS IN NEBRASKA COURTS

Legislative Bill 116 passed by Governor J.J. Exon on March 2, 1973, declared it to be the policy of this state that the constitutional rights of persons unable to communicate in the English language cannot be fully protected unless interpreters are available, and it was the intent of this act to provide a procedure for the appointment of interpreters to avoid injustice and to assist such persons in their own defense.

To meet the increasingly diverse needs of the Nebraska Judicial Branch, the Statewide Register of Interpreters expanded from **11 to 89 languages** and from **70 to 211 interpreters**.

A statewide pool of approximately 40 bilingual employees ensure communication with limited English proficient individuals at all points of contact throughout the Nebraska Judicial Branch.

OFFICE OF PUBLIC GUARDIAN

Michelle Chaffee, Director

The **Office of Public Guardian** (OPG) is designed to serve as the guardian or conservator for an individual when no other alternatives are available.

In addition to serving as guardian and/or conservator of last resort when no family or suitable individual is available, the OPG provides training, education, and support to guardians and conservators across the state, and recruits individuals to serve as guardians and/or conservators for Nebraska's vulnerable individuals.

The Advisory Council on Public Guardianship guides the work of the OPG. Work began on January 1, 2015, to develop the processes, guidelines, plans, and personnel policies to implement the Public Guardianship Act.



Since its inception, OPG has been nominated to serve as a guardian and/or conservator **983** times as of 6.30.23, serving as guardian and/or conservator in **534** of those cases.

99



Nominations in FY23

1,458

Private guardians and/or conservators trained



ATTORNEY SERVICES

Wendy Wussow, Clerk of the Supreme Court & Court of Appeals

Under authority of the Nebraska Supreme Court, the **Attorney Services Division** oversees attorney admissions in the State of Nebraska.

The Division also oversees the attorney license renewal process, providing information to the public regarding attorney license status and malpractice insurance information.

The Attorney Services Division monitors attorney compliance with mandatory annual continuing legal education requirements, as well as assisting attorneys in fulfilling education requirements

The Attorney Services Division oversees attorney admissions by administering the bar exam and working with the State Bar Commission to approve potential bar members for character and fitness to practice law. Attorneys may be admitted to the bar by motion after obtaining a license to practice in another state or through the bar exam process.

205 examinees sat for the July 2022 exam, up from 175 the previous year.



Chief Justice Heavican leads the procession of the Nebraska Supreme Court and presiding Federal Judge Robert Rossiter into the ceremony to swear-in new attorneys on April 24, 2023.

COURT IMPROVEMENT PROJECT

Deb VanDyke-Ries, Director

The Nebraska **Court Improvement Project** (CIP) works to positively impact and improve outcomes for children, youth, and families involved with juvenile court through multi-disciplinary, judge-led "Through the Eyes of a Child" teams in every Nebraska county. CIP provides or facilitates education for child welfare and youth justice professionals, distributes data on court-involved youth and families, and collaborates with partner agencies, court professionals, and other stakeholders to improve court processes.

The 2022 Children's Summit, hosted by CIP in Kearney gathered 500 attendees on September 13 and 14, 2022. Chief Justice Michael Heavican and Court Administrator Corey Steel opened the two-day conference, themed "Keeping It R.E.A.L. – Relate, Engage, Affirm, Listen," focusing on genuine engagement of children and families within the Nebraska court system.

CIP presented several awards at the event: Judge Chad Brown received the Michael Offner Memorial Award for Judicial Leadership for his work in Douglas County on domestic violence issues and the "Safe and Together" initiative. The Resilience Award was presented to Andrea Miller, who was involved with the court system and had lost custody of her children, but through overcoming obstacles and challenges to rebuild her life, the family has been reunited. Bri McLarty, Dodge County Deputy County Attorney received the Distinguished Service Award for her work and commitment to children and families to strive for the best possible outcomes. The Through the Eyes of the Child Team Award for Excellence was awarded to Team 1 (Gage, Jefferson, Johnson, Nemaha, Pawnee, Richardson, Saline, Thayer) lead by Judge Linda Bauer and Julie Wragge, Coordinator. Judge Bauer's team has impacted the community by distributing duffel bags stocked with items for children who are removed from homes in an emergency situation. The team also held a pillow drive, providing children with comfort, before COVID-19 interrupted that initiative.



Children's Summit attendees settle in before a session begins.



Judge Ryan Carson addresses the Chief Justice's Summer Tour and local stakeholders on the successes of problem-solving courts in Grand Island

PROBLEM-SOLVING COURTS

In April 2022, the Nebraska Supreme Court Committee on Problem-Solving Courts formed a work group with the intent of developing a recommendation for an alternative to the current method of using judges who volunteer, but are not required, to preside over problem-solving courts.

This work group determined that in order to develop such a recommendation, the current state of problem-solving courts in Nebraska must be researched. To accomplish this task, the work group formed a task force that utilized the Research and Data Team of the Administrative Office of the Courts and Probation to conduct a comprehensive needs and resource assessment of the problem-solving courts in Nebraska. The project, completed over two phases, aimed to examine the supply and demand dynamics to ascertain the need and feasibility of expanding problem-solving courts in Nebraska. Phase 1 (nejudicial.com/na1), completed in September 2022, focused on the current utilization of and demand for problem-solving courts. Phase 2 (nejudicial.com/na2), completed in March 2023, focused on the future of problem-solving courts and potential areas for expansion across the state.



Every year, the hard work and triumphs exhibited in Nebraska's problem-solving courts are celebrated in the month of May. Listen to the story of Janetta and Thomas Albers who overcame their addiction in Judge Tina Marroquin's court at nejudicial.com/psc23 and subscribe for all podcasts.



Per Nebraska Supreme Court Rule, all problem-solving courts shall utilize evidence-based practices as identified by applicable scientific research and literature and shall adhere to best practice standards. Recognizing the importance of adhering to current best practices, the 2020-2025 Problem-Solving Court Strategic plan called for the design and implementation of a process for the development of new Best Practice Standards and the regular review of adopted standards to ensure they remain in line with evidence-based practices and national standards. This process was approved by the Supreme Court Committee on Problem-Solving Courts and the Supreme Court in 2021.

The Nebraska Adult Drug Court and DUI Court Best Practice Standards were identified as the first of the six adopted standards to be reviewed based on the length of time since review and the existence of National Standards created by the National Association of Drug Court Professionals.

The proposed updated Nebraska Adult Drug Court and DUI Court Best Practice Standards were approved by the Nebraska Supreme Court Committee on Problem-Solving Courts on April 19, 2023, and the Nebraska Supreme Court on May 3, 2023.



JUVENILE PROBATION SERVICES

Jeanne K. Brandner, Deputy Administrator

The **Juvenile Probation Services Division** is responsible for the statewide administration of juvenile detention intake, investigations, supervision, rehabilitative/behavioral health/supportive services, and re-entry. During all stages of the court process, youth and their families are encouraged to be active participants. Supported by research and shown to have a positive impact on recidivism, as well as behavior change, juvenile probation applies a balanced approach tailored to reflect the distinct developmental needs of adolescents.

Juvenile probation's goal is to prevent juveniles from returning to the juvenile justice system or entering the criminal justice system.



Juvenile Justice System Enhancement Nebraska

(JJSEN) – A statewide Probation System Review was conducted by the Robert F. Kennedy National Resource Center for Juvenile Justice using their probation system review framework and was augmented by a Data Capacity System Assessment conducted by the National Center for Juvenile Justice. The findings and recommendations captured in the JJSEN Probation System Review Final Report included strengths that reflect significant progress and embrace of research-driven and evidence-based policies and approaches that position juvenile probation as a leader in juvenile justice system practice. Additional recommendations focus on challenges to system reform that include matching of effective services and programs to ameliorate risk of continued delinquent behaviors, consistency of statewide juvenile probation practice, and collaboration with critical juvenile justice stakeholders. The recommendations are linked to best-practice focus areas and include: adolescent development; family engagement; principles, policy and legislation; decision making instruments; service delivery, personnel and performance; continuous quality improvement; and the collection and use of data. The Final Report was reviewed by members of the Nebraska Supreme Court where it was decided to allow for a transparent stakeholder review and feedback process. In May, the Final Report was posted on the Nebraska Supreme Court website for a public comment period that ran through August 1, 2023. In addition, those who participated in the Probation System Review or Data Capacity System Assessment process were invited to attend one of several town hall meetings to discuss the report with the authors. Feedback from both are being considered currently while decisions about priority recommendations and implementation timelines are being developed.

ADULT PROBATION SERVICES

Robert Denton, Deputy Administrator

The **Adult Probation Services Division** oversees the development, training, and implementation of:

- All statutory requirements for adult investigations and supervision;
- Evidence-based programming for adults;
 - Including individuals being released from incarceration for Class III, IIIA, and IV felony offenses, also referred to as post-release supervision;
- Rehabilitative/behavioral health and supportive services for those under community supervision, creating opportunities for constructive change and enhancing community safety.

Probation strives to provide equitable access to services by reducing financial barriers for individuals and families.

In 2023, the Administrative Office of the Courts and Probation was selected as one of three innovation sites in the United States to receive technical assistance and grant funding, through Columbia University and the Annie E. Casey Foundation, to create and pilot a specialized approach to working with Emerging Adults (ages 18-25) on probation.

Over the next two years, selected Specialized Probation Officers will integrate Columbia University's Developmental Framework into supervision practices based upon:



Highlighting the importance of identity development.



Opportunities to lead and contribute in the community.



Access to safe and meaningful educational and employment opportunities.

Adult Probation Recidivism Rate:

19%

In spite of a **50% increase in the high to very high risk to reoffend felony probation population** (63% of population) resulting from LB605 passed in 2015, Nebraska Probation's community-based supervision continues to effectively reduce adult recidivism.

Cost-effective community-based supervision

\$2,000 VS. \$41,000

Incarceration costs **\$41,000** per person per year.

Probation supervision costs nearly **\$2,000** per person per year.

Intensive supervision costs approximately **\$3,500** per person per year.

INFORMATION TECHNOLOGY

Chad Cornelius, Chief Information Officer

The **Information Technology Division** is responsible for technological support of the Judicial Branch. Application development of court (JUSTICE/SCCALES) and probation (NPACS) case management systems are also under the purview of the Division.

Technology teams implement improvements to online services (such as those below) to help the Judicial Branch run efficiently in delivering information and services to the public and the legal community.

- eFiling
- ePayment
- Service provider registration
- Voucher submission
- Online calendars
- Court case information searches



Nearly 8.5 million court case views online

Case information is made available through the internet for all county, district, separate juvenile, and appellate courts.



Over \$29,000,000 in online payments

Electronic payments are accepted statewide for court fines, judgments, filing costs, and probation fees.



220 Judicial Branch offices supported

Court, probation, and administrative staff across Nebraska depend on the Judicial Branch IT Division for assistance with software, hardware, or general technology questions.



22,000 programming hours

The Judicial Branch case management systems are all custom built, and continually updated to meet with new rule and statutory requirements, as well as automating new processes for courts and probation.



Technology Upgrades

Staff members from the Cedar County District and County Courts gather around newly installed audio-visual equipment in the courtroom to learn how to operate the state-of-the-art technology, marking the Judicial Branch's first installation of the new courtroom audio-visual technology. Cedar County is the first of over 200 courtrooms to be upgraded. Find out more at: nejudicial.com/tech23



JUDICIAL BRANCH EDUCATION

Kelli Wood, Deputy Administrator

Judicial Branch Education (JBE)

provides essential continuing education to maintain and increase professional competence and knowledge to ensure the delivery of the highest quality services to the people of Nebraska. The Supreme Court Rules and the Judicial Branch Advisory Committee standards outline minimum education requirements for all judges, attorneys, and judicial branch staff.

JBE works within the Administrative Office of the Courts and Probation to coordinate new and ongoing education delivered through in-person, online, and distance learning events. The division also assists outside stakeholders, such as Problem-Solving Court team members, probation providers, and attorneys, in meeting mandatory educational requirements to fulfill their roles as part of Nebraska's judicial system.

In 2022, Judicial Branch Education (JBE) became a separate division within the Administrative Office of Courts and Probation (AOCP). The division serves attorneys, as well as judges and all judicial branch staff.

The current challenges and opportunities that most impact JBE are related to the nationwide phenomenon of high turnover which has increased the need for onboarding and orientation of new team members, and evolving technology needs as modernization requires training for all involved to know how and when to use it to make the branch run smoothly.

7,162
Active attorneys

3,091
Inactive attorneys



567,366
Hours of education delivered

OPERATIONS

Gene Cotter, Deputy Administrator

The **Operations Division** performs a wide variety of functions in its support of trial courts and probation operations throughout the state.

Prioritized functions include:

- All elements of human resources
- Internal and external communications, social media, and audio/video productions
- Web development, design and maintenance
- Interstate transfers of probationers
- Data collection, analysis, and reporting
- Probation performance management
- Community outreach and education





HUMAN RESOURCES

The **Office of Human Resources** provides services to Judicial Branch staff and applicants, including all trial courts and probation offices funded under the Judicial Branch budget. The office is responsible for payroll, recruitment, position classification, compensation, employee relations, benefit, and payroll records. Administrative staff is available to help employees understand the Nebraska Supreme Court Personnel Policies and Procedures, including the processes of hiring, performance management, and disciplinary actions. Administrative staff also provide guidance in an effort to resolve employee conflicts and to address allegations of misconduct.



734 Openings Posted
1,556 Staff on Payroll_(avg)

298
New
Employees Processed



317
Employee
Exits Processed

Operations

INTERSTATE COMPACT

The **Office of Interstate Compact** is responsible for assisting with the facilitation of the transfer of supervision for both adult and juvenile probationers to the state where the client resides, as well as facilitating the safe return of any juvenile who runs (absconds) to another state. Furthermore, the compact office monitors statewide compliance with adult and juvenile compact rules and provides training and resources to field staff, district management, and other justice partners. Additionally, the compact office is charged with reviewing all inter-district transfer and shared supervision cases to ensure adherence to protocol and assist with the seamless transition of supervision within the State of Nebraska.



The Compact Office assisted in facilitating the safe return of 68 out-of-state juvenile runaways.



Operations

Public Information & Educational Outreach

The **Office of Public Information and Educational Outreach** manages media inquiries, public information requests, and opportunities for the Supreme Court and Court of Appeals to engage with communities, including students. The Office assists both national and in-state media to facilitate expanded media coverage. Educational materials regarding cameras in courts are produced for both media outlets and judges. Additionally, the Office directs employee communications, creates and distributes press releases, and coordinates messaging on a variety of topics.

The Office of Public Information and Educational Outreach facilitates Nebraska's appellate courts outreach programming focused on high schools, colleges, and law schools, including events tied to nationally recognized celebrations of Law Day (May 1) and Constitution Day (September 17). Argument sessions are held within the educational facility and preceded by a guest speaker who outlines the levels of the court system, followed by an open question session with students. Youth education programs are held at the convenience of the school and tied to Constitution Day (September 17) and Law Day (May 1), nationally recognized events.





EDUCATION OUTREACH ENGAGEMENT

Outreach efforts educate students and the public on the workings of the judicial branch, highlight career opportunities, and provide vital civic education across Nebraska.

Opposite: The Supreme Court prepares to hear arguments at Creighton Law School.

Clockwise from Left: Student news reporters at Papillion La Vista High School cover the Court's visit. Court of Appeals Judge Francie Riedmann hosts a discussion for students interested in becoming law clerks. Students line up to ask questions of Supreme Court Justices at O'Neill High School.





Operations

Digital Communications

The **Office of Digital Communications Communications** manages the primary digital communications channels for the Judicial Branch, including the website and social media accounts. In addition, the office implements the creation of audio and visual productions, as well as graphic design and branding practices. In coordination with the Office of Public Information & Educational Outreach, the Office is responsible for the strategic public relations activities of the Branch.

 **>5.5**
million

In FY23, the Nebraska Judicial Branch website served 5,580,091 page views to visitors.

 **316**

Stories Published

Bringing the work of the Judicial Branch to the public.

 **25**

Audio/Visual Productions

Podcasts and videos diving into the work of employees statewide.

 **1,500+**

Photographs taken

Promoting and archiving daily life in the Judicial Branch and special events affecting Nebraskans.



NEJudicial

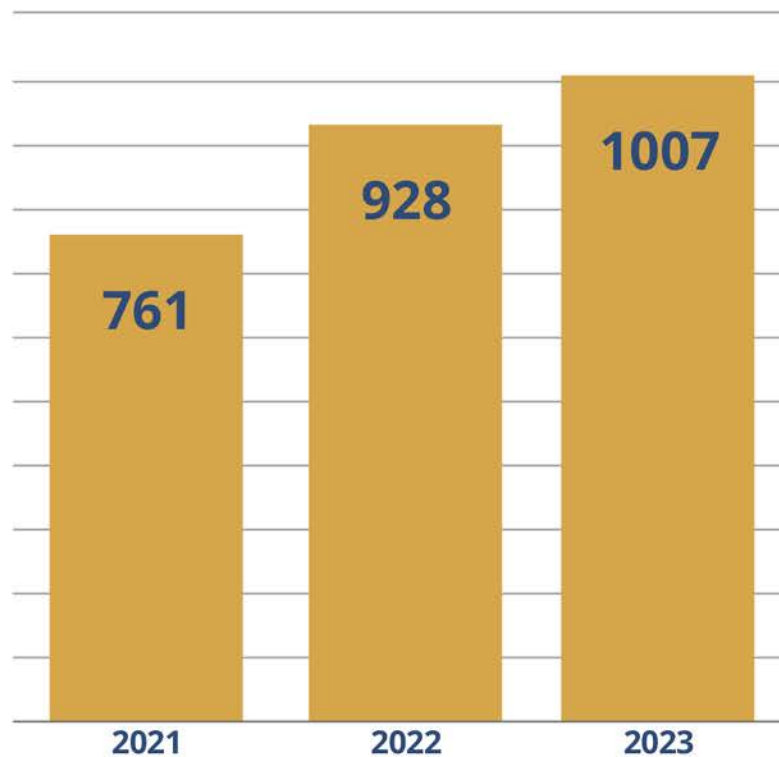


NEJudicialBranch

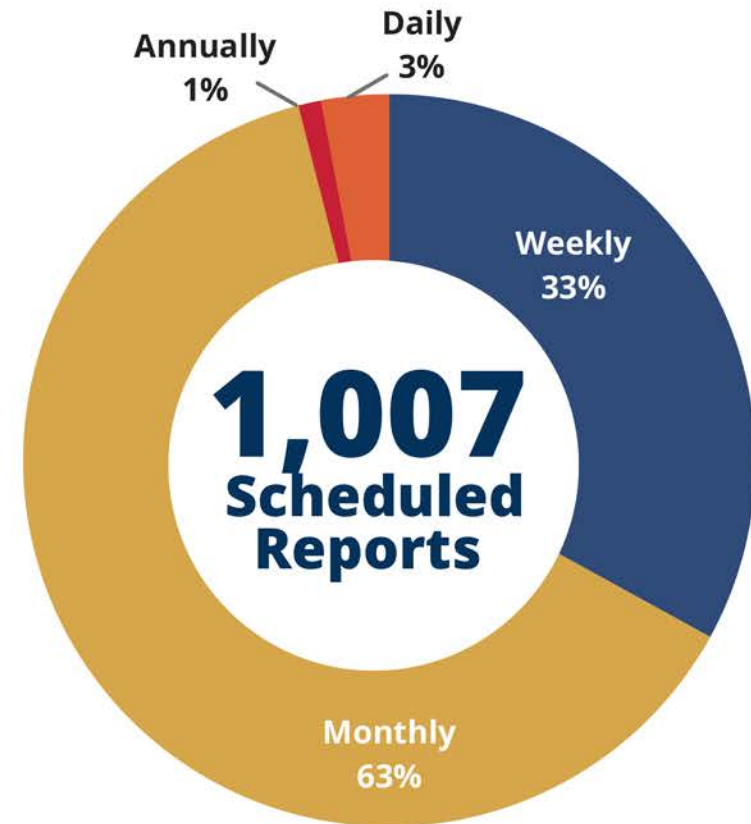


Operations Division Research & Data

The **Research and Data team** supports trial courts and probation as well as judicial and administrative staff with meaningful data to help drive day-to-day business decisions. Additionally, an expanded focus on internal research and development has emerged.



The Research and Data Division's goal is to create and distribute data in a useful and consumable way. The team has seen an **8% increase** in the number of automated reports developed and completed from FY22 to FY23. Looking back to FY21 the **increase is 24%**.



Over 2,500 reports are generated. Of those, **1,007 reports are set for automatic distribution** to staff on a daily, weekly, monthly, or quarterly basis.

COURT
ROOM



STATISTICS FY23

48 APPELLATE
COURTS

50 TRIAL
COURTS

56 PROBATION
CASES

PROBATE
"c"
14 - 31

PROBATE
"c"
32 - 55

PROBATE
"c"
56 - 72

PROBATE
"d"
1 - 29

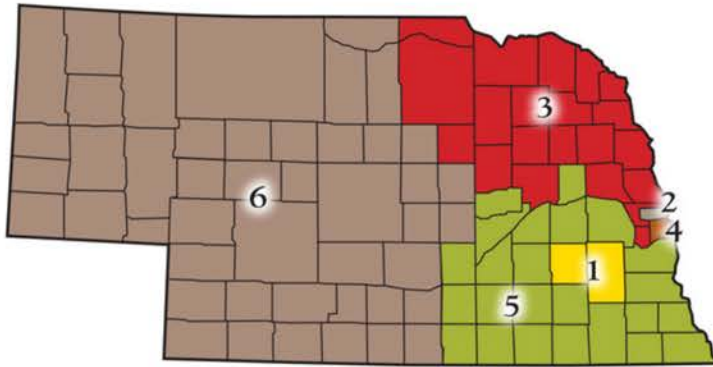
PROBATE
"d"
30 - 43

Nebraska Court Case Filings

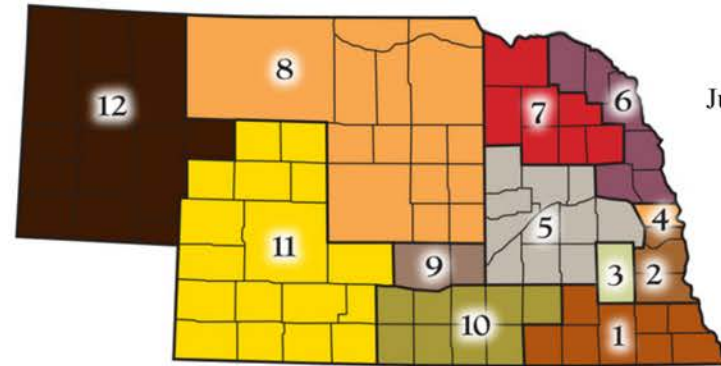
DISTRICT INFORMATION

The Constitution of the State of Nebraska distributes the judicial power of the state among the Supreme Court, Court of Appeals, district courts and county courts. All state courts operate under the administrative direction of the Supreme Court.

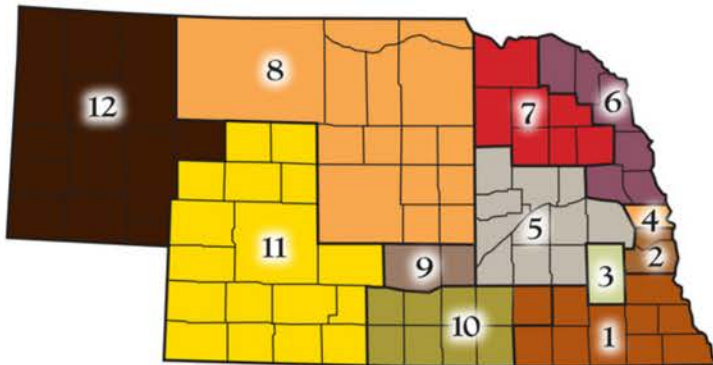
Supreme Court & Court of Appeals Judicial Districts



County Court Judicial Districts



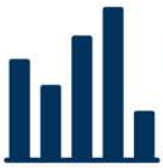
District Court & Probation Judicial Districts



Separate Juvenile Courts



Note: Sarpy, Douglas, and Lancaster Counties



Nebraska Court Case Filings

APPELLATE COURT CASELOAD INFORMATION

Arguments in the Nebraska Supreme Court Courtroom are streamed live and preserved on the Oral Argument Archive of the Nebraska Judicial Branch website. Additional available arguments include the court sessions held at the University of Nebraska College of Law and Creighton University School of Law.

Court of Appeals arguments heard at the State Capitol in Lincoln are streamed live and archived.

When Appellate Courts hear arguments in communities across the state, the audio recording is archived on the website.

Caseload - Nebraska Supreme Court

	FY20	FY21	FY22	FY23
New Cases Docketed	52	61	61	56
• Petitions to Bypass Filed	53	50	42	35
• Petitions to Bypass Granted	30	37	24	22
• Petitions to Bypass Denied	20	16	18	15
Cases Transferred from Court of Appeals	171	108	127	102
• Petitions for Further Review Filed	258	216	145	178
• Petitions for Further Review Granted	13	11	6	8
• Petitions for Further Review Denied	246	207	147	162
Cases Disposed by Opinion	206	219	140	177
Cases Disposed Without Opinion	52	36	49	42
Total Cases Disposed	258	255	189	219

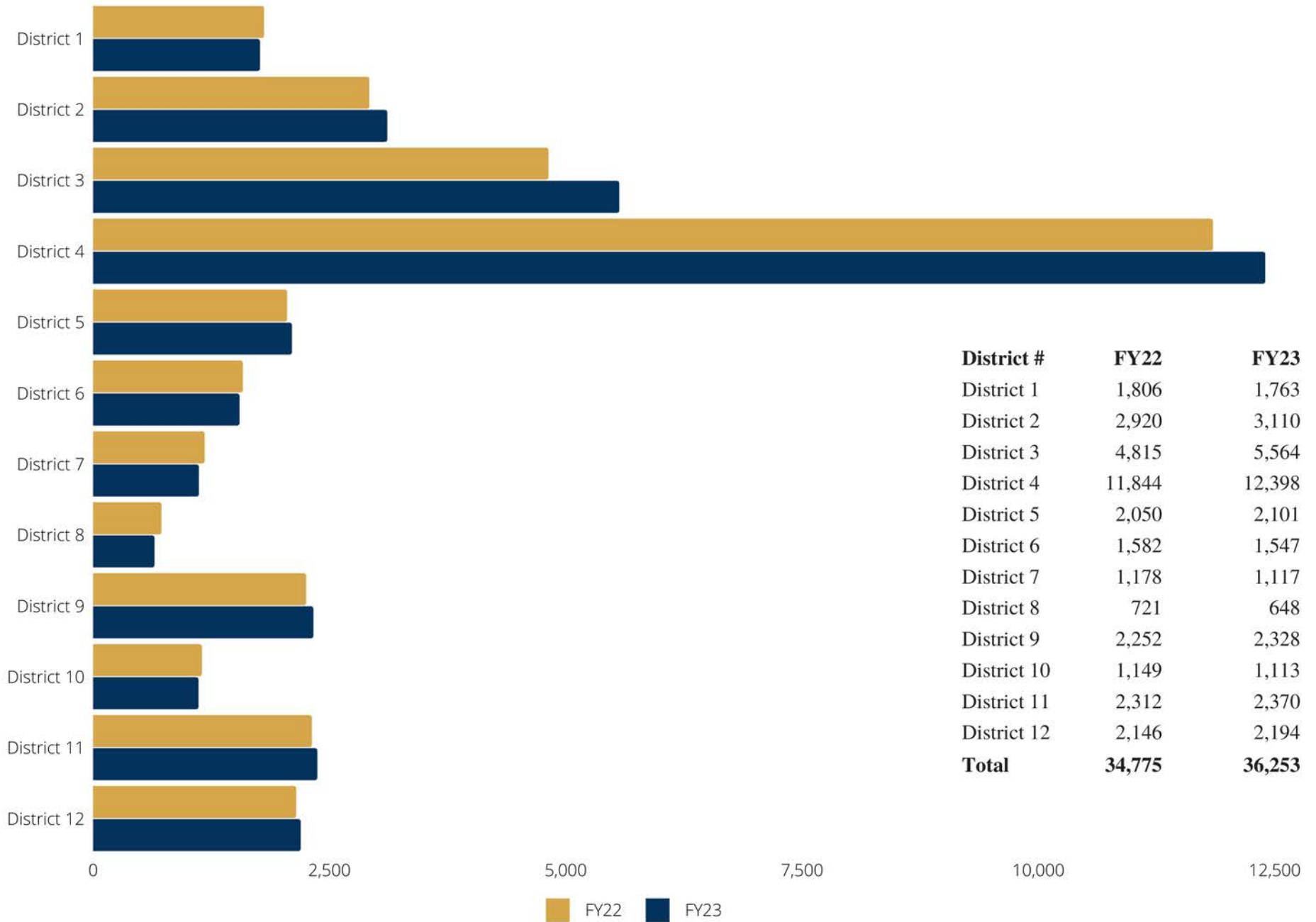
Caseload - Nebraska Court of Appeals

	FY20	FY21	FY22	FY23
New Cases Docketed	1,007	932	928	925
• Transferred to the Supreme Court	171	108	127	102
• Petitions to Bypass Granted	36	37	24	22
Cases Disposed by Opinion	486	401	308	359
Total Cases Disposed	968	819	793	806



Nebraska Court Case Filings

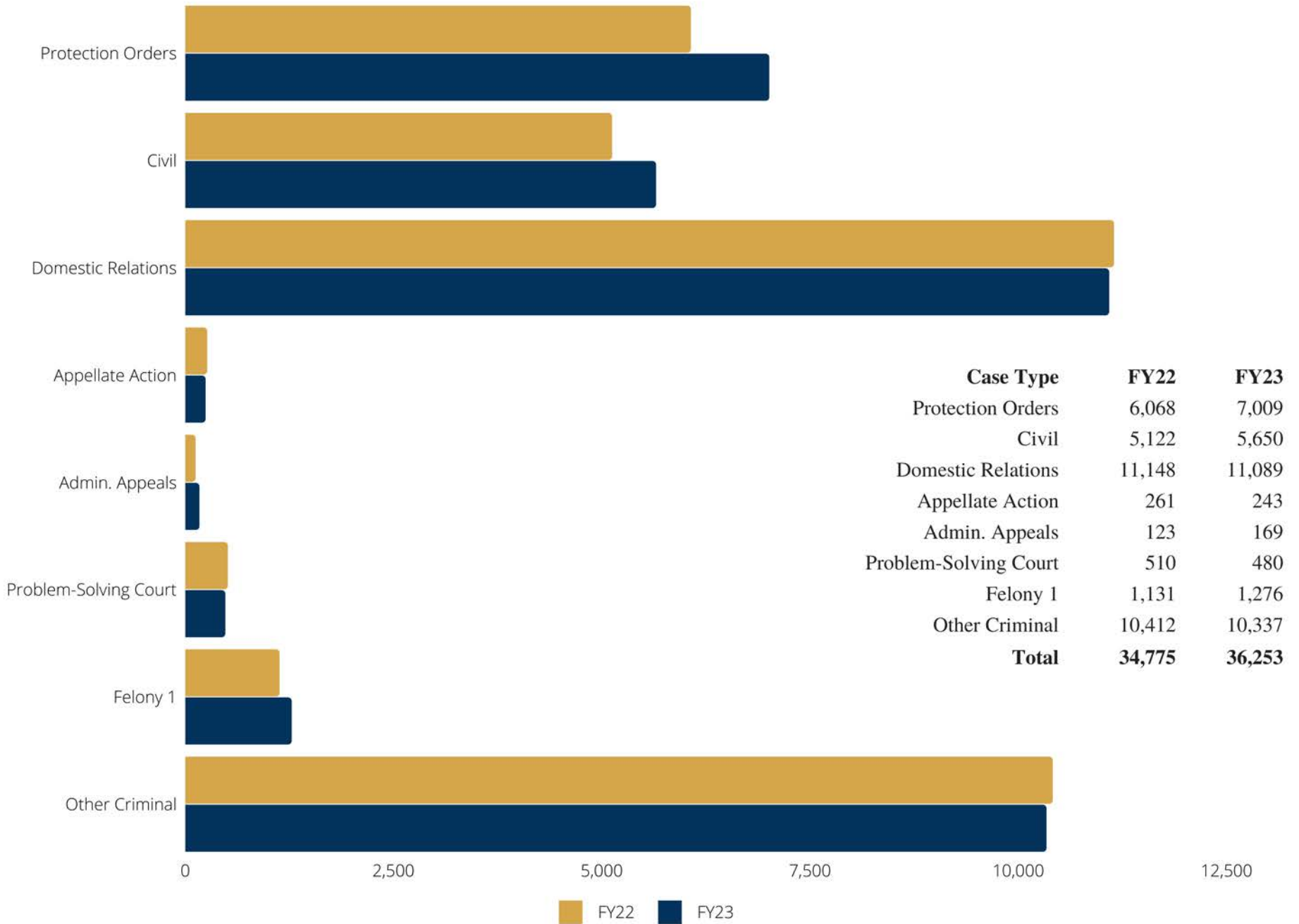
DISTRICT COURT CASE FILINGS BY DISTRICT FY23





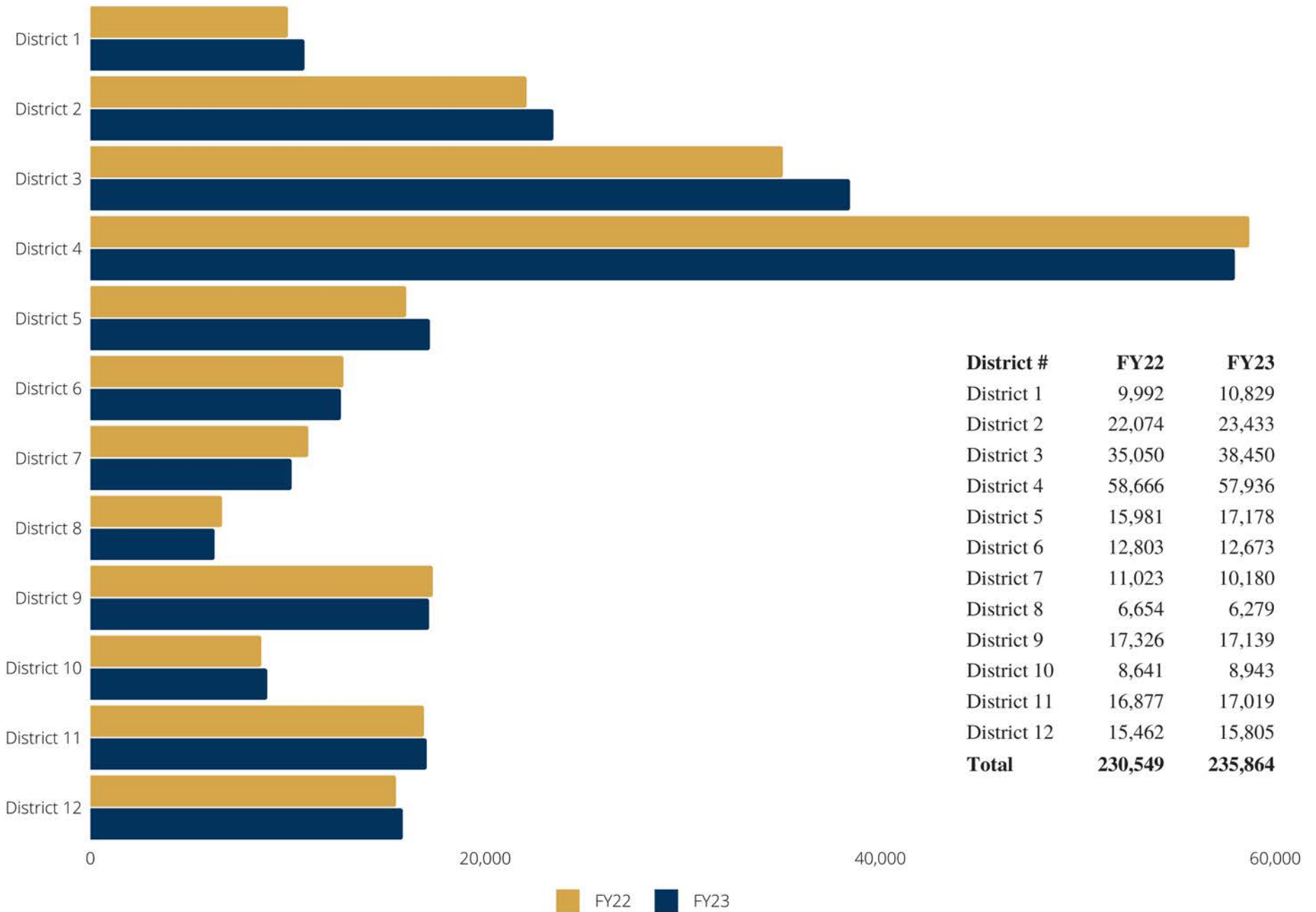
Nebraska Court Case Filings

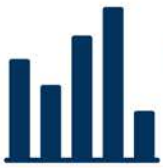
DISTRICT COURT CASE FILINGS BY CASE TYPE FY23





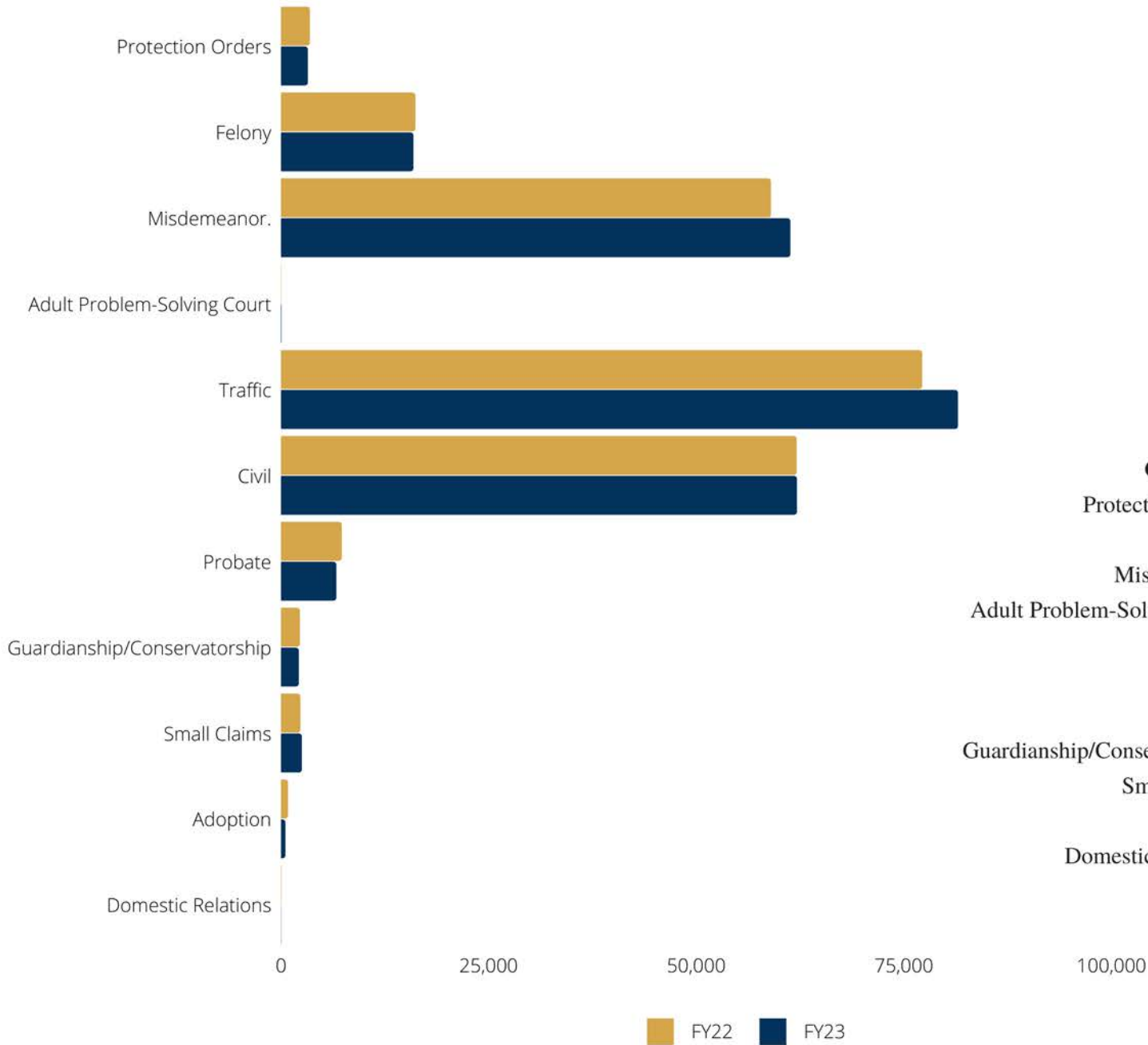
COUNTY COURT CASE FILINGS BY DISTRICT FY23





Nebraska Court Case Filings

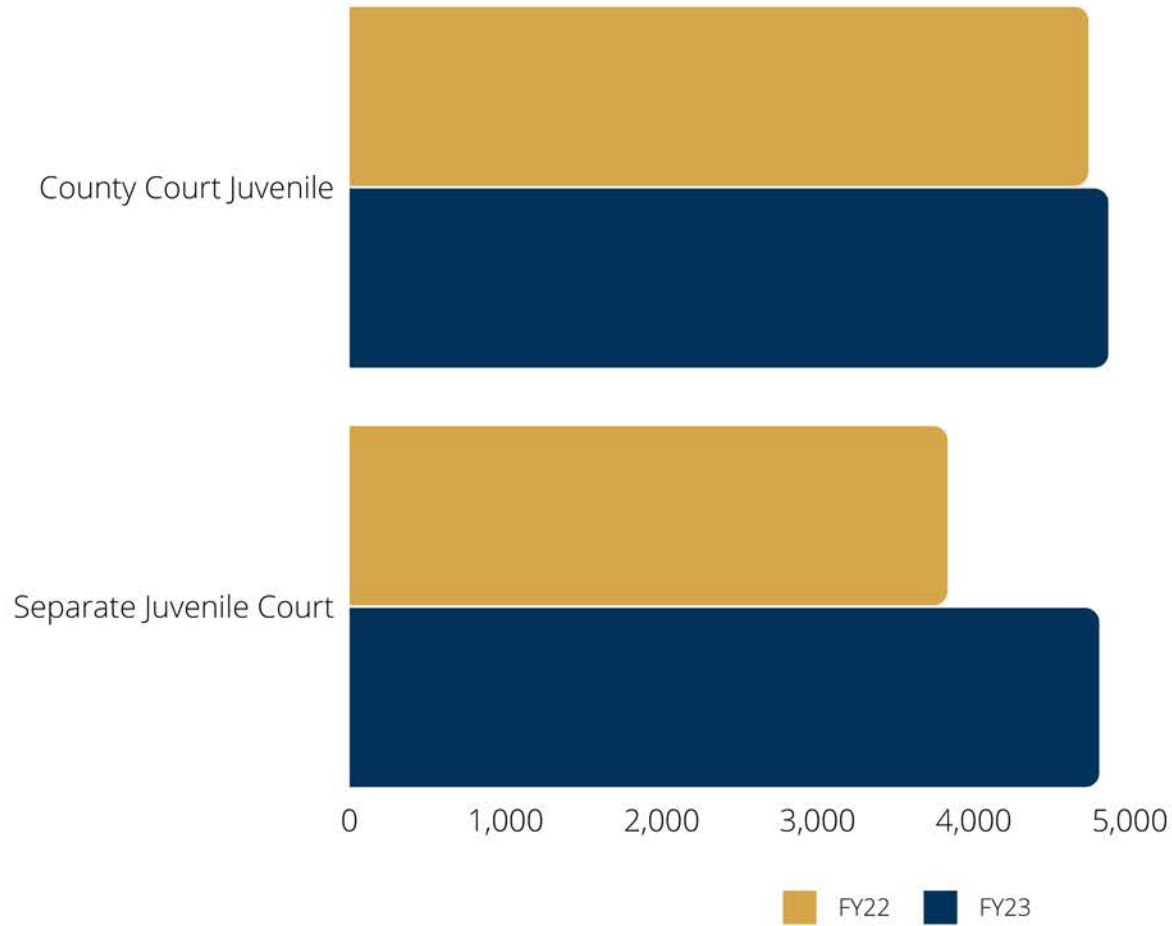
COUNTY COURT CASE FILINGS BY CASE TYPE FY23



Case Type	FY22	FY23
Protection Orders	3,454	3,218
Felony	16,166	15,923
Misdemeanor.	58,975	61,317
Adult Problem-Solving Court	11	16
Traffic	77,180	81,499
Civil	62,066	62,106
Probate	7,304	6,646
Guardianship/Conservatorship	2,253	2,123
Small Claims	2,314	2,493
Adoption	824	522
Domestic Relations	2	1
Total	230,549	235,864



JUVENILE CASE FILINGS BY COURT TYPE FY23

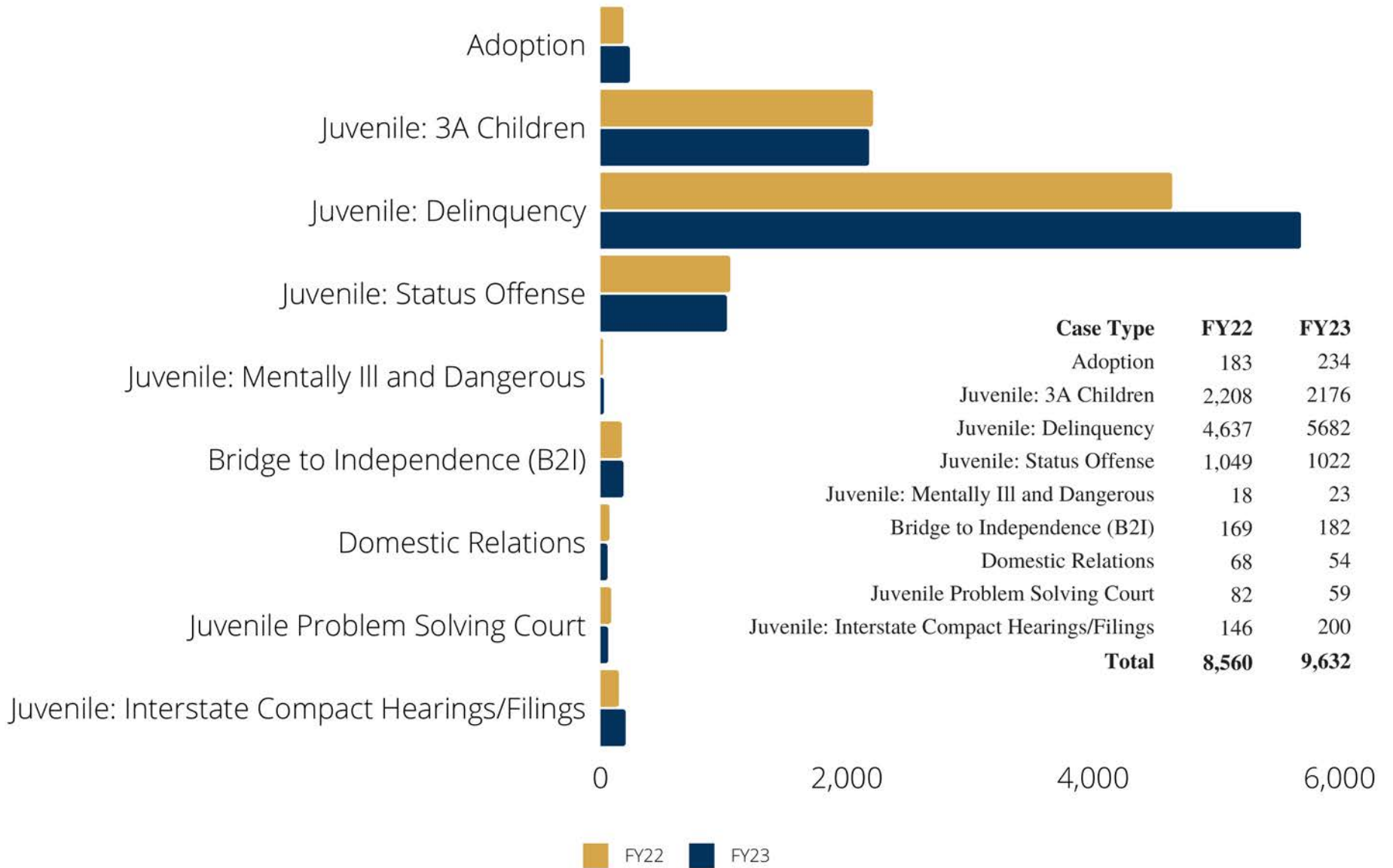


Court Type	FY22	FY23
County Court Juvenile	4,731	4,859
Separate Juvenile Courts	3,829	4,800
Total Juvenile Cases	8,560	9,659



Nebraska Court Case Filings

JUVENILE CASE FILINGS BY CASE TYPE FY23

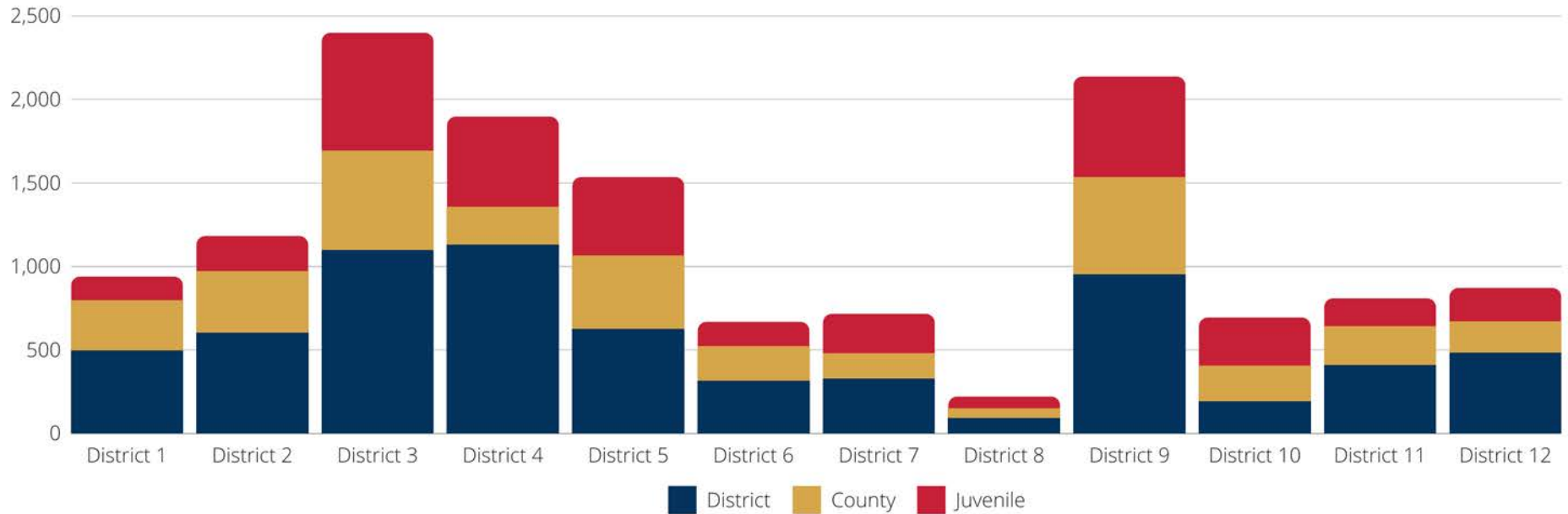





Nebraska Probation Case Statistics

INVESTIGATIONS BY COURT TYPE FY23

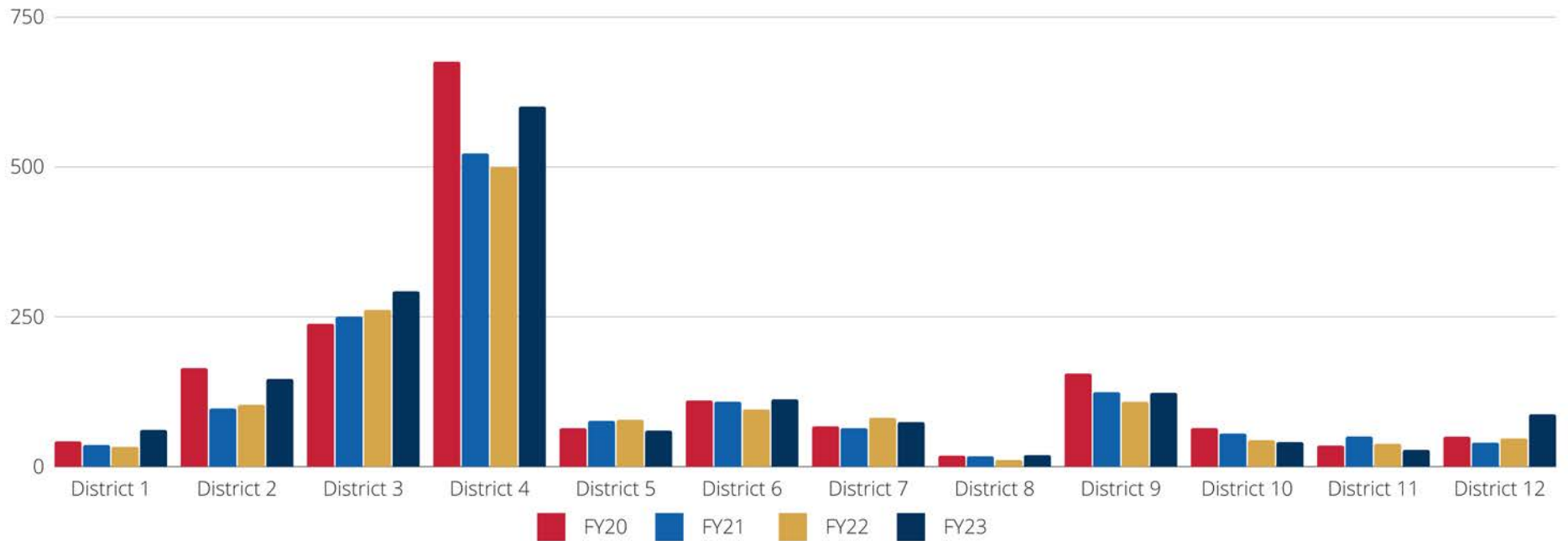
District #	District	County	Juvenile	Total
District 1	494	300	143	937
District 2	600	368	212	1,180
District 3	1,097	593	707	2,397
District 4	1,127	226	542	1,895
District 5	625	438	470	1,533
District 6	314	207	145	666
District 7	325	154	235	714
District 8	90	58	71	219
District 9	951	582	602	2,135
District 10	192	212	288	692
District 11	408	232	167	807
District 12	480	190	199	869
Total	6,703	3,560	3,781	14,044





Nebraska Probation Case Statistics

JUVENILE INTAKES FY23

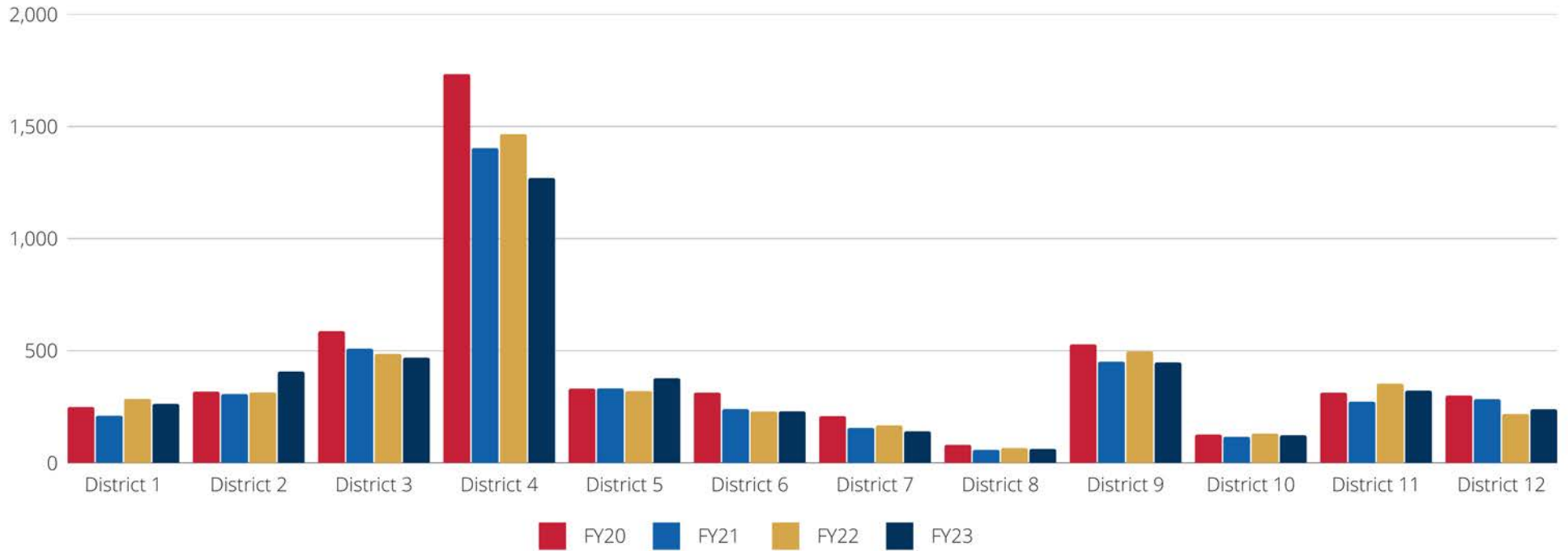




Nebraska Probation Case Statistics

DISPOSITION OF PROBATION FY23

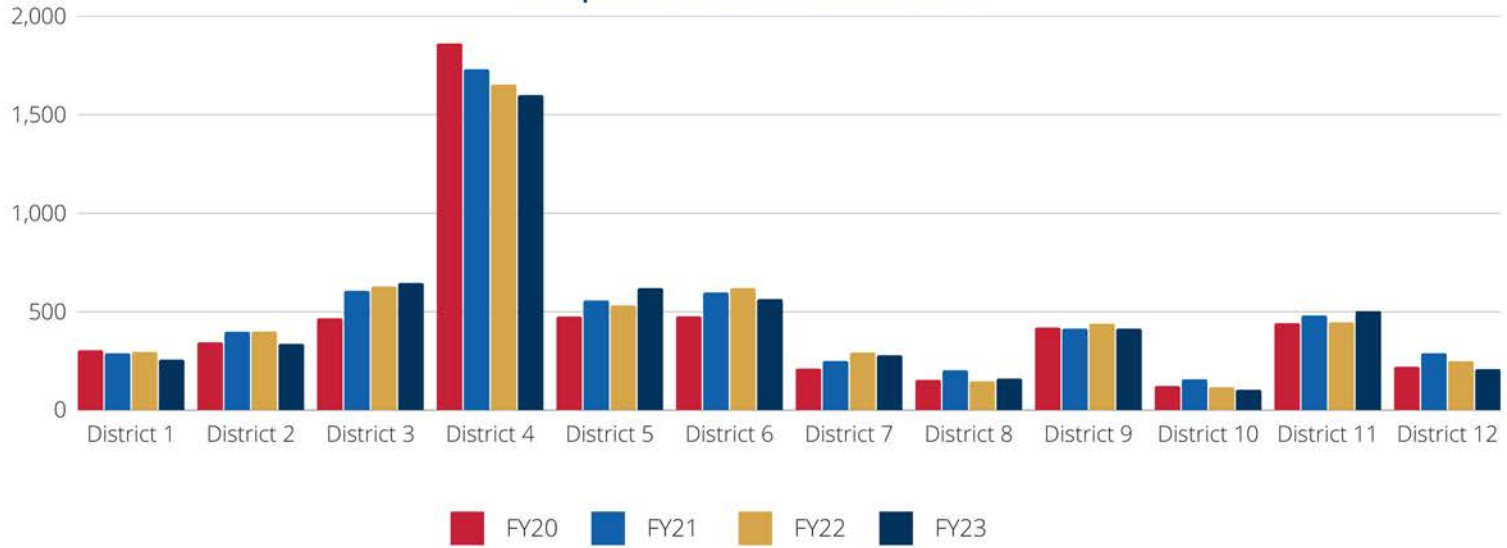
District Court Cases with a Disposition of Probation or Post-Release Supervision



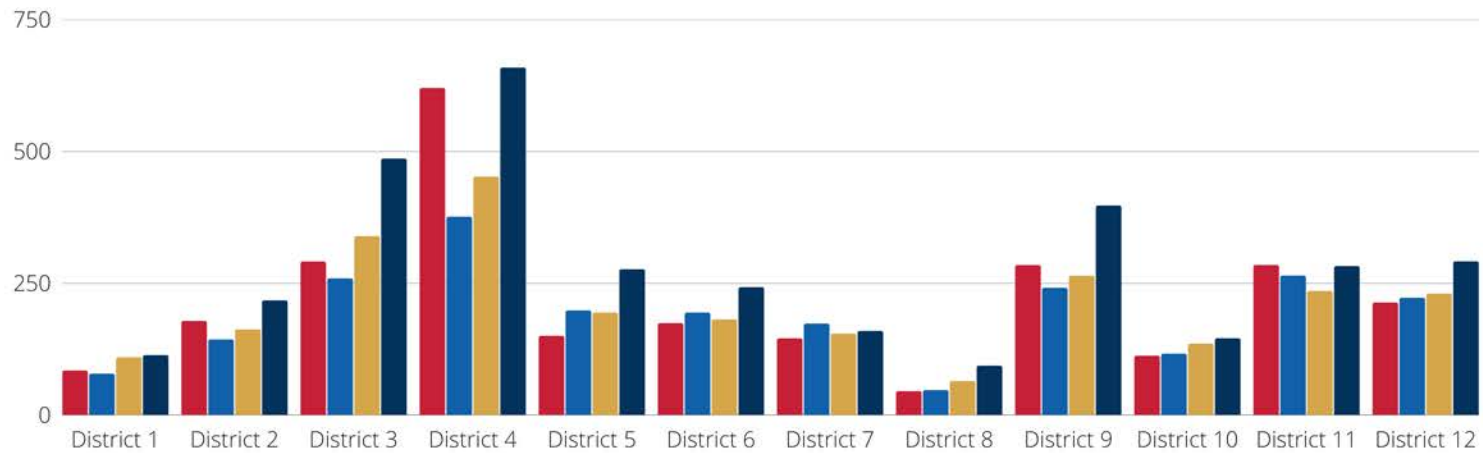


DISPOSITION OF PROBATION FY23

County Court Cases with a Disposition of Probation



Juvenile Court Cases with a Disposition of Probation

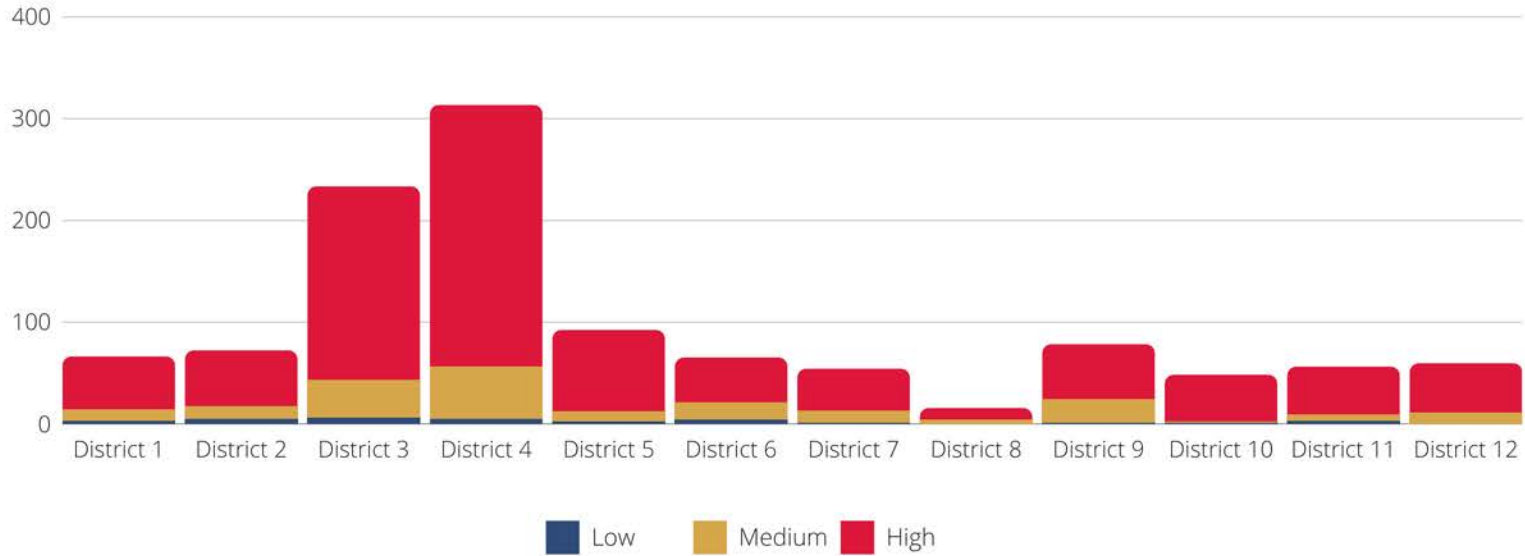




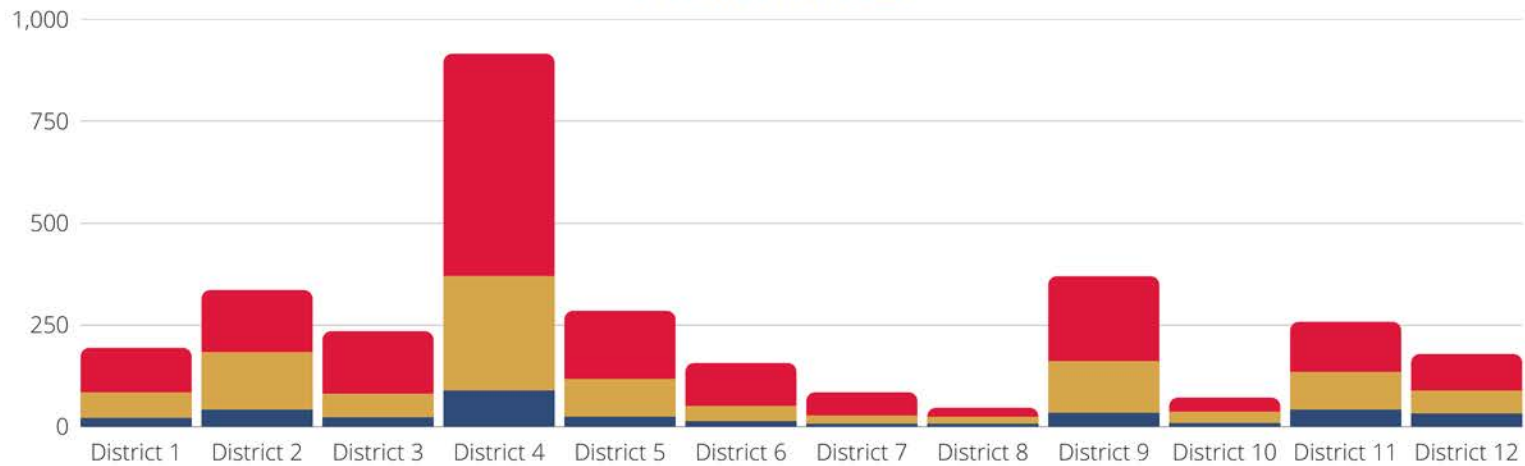
Nebraska Probation Case Statistics

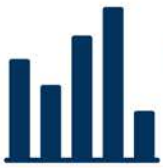
RISK TO REOFFEND FY23

Post-Release Supervision Cases and Risk to Reoffend FY23



District Court Cases and Risk to Reoffend FY23

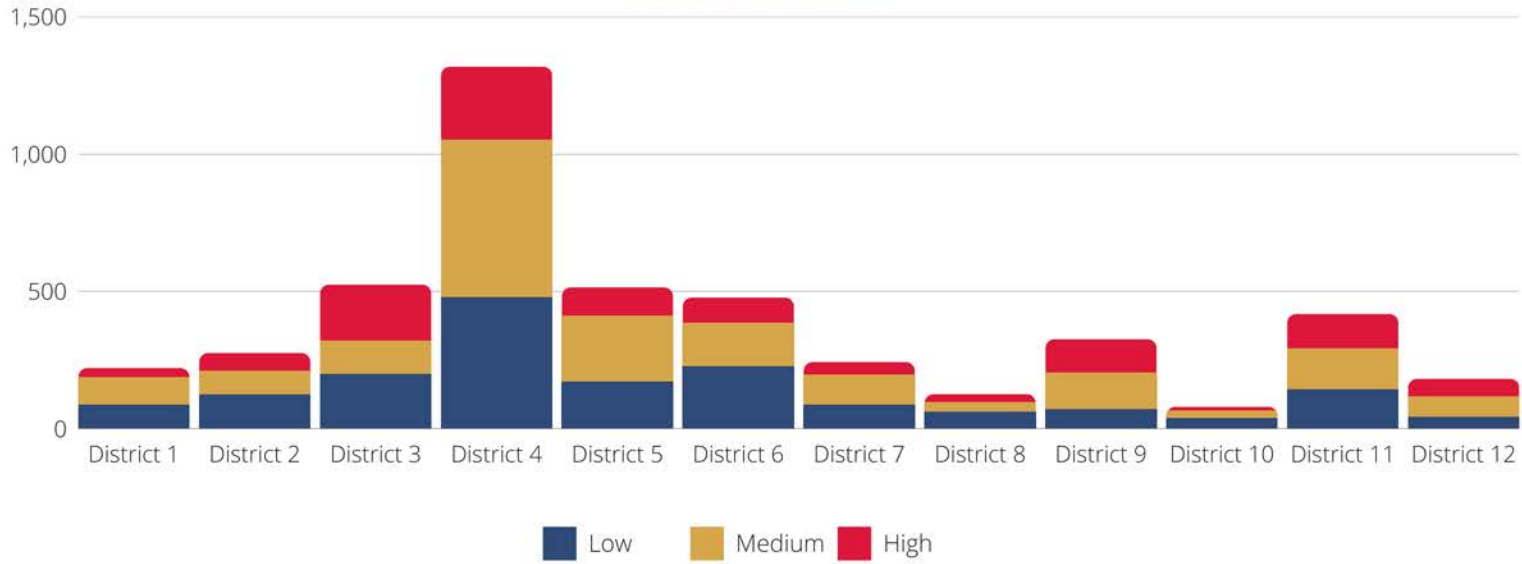




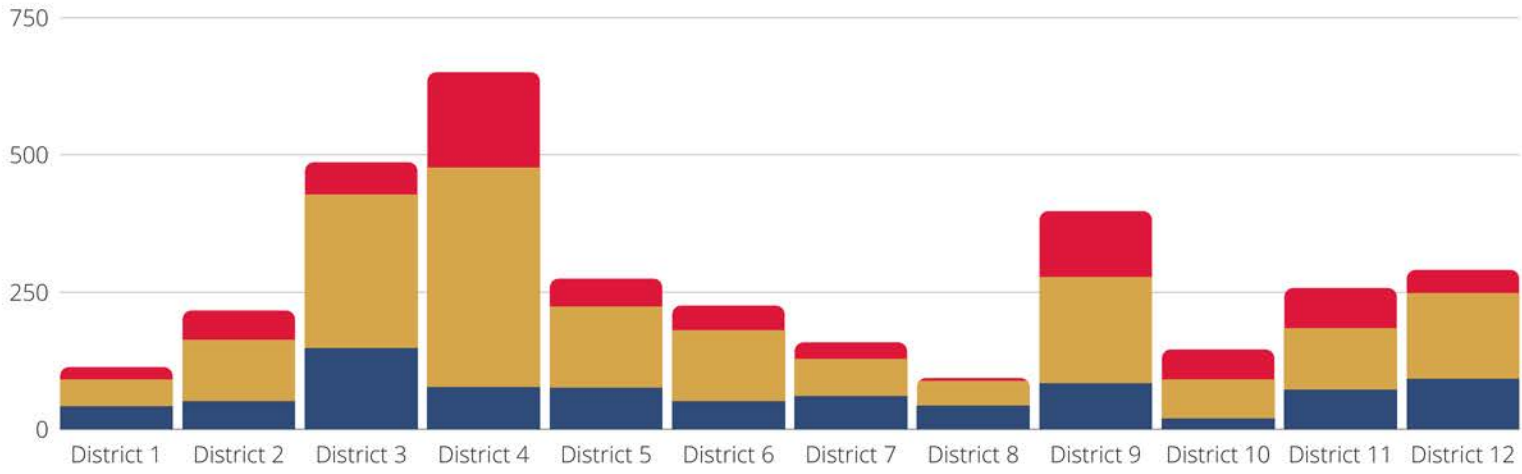
Nebraska Probation Case Statistics

RISK TO REOFFEND FY23

County Court Cases and Risk to Reoffend FY23



Juvenile Court Cases and Risk to Reoffend FY23



LAWS
OF
NEBRASKA
1919-1921

LAWS
OF
NEBRASKA
1923
ALSO OF
SPECIAL SESSION
1922

SESSION
LAWS
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NEBRASKA
1925

LAWS
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NEBRASKA
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Sheridan County





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