



## **Office of Dispute Resolution Annual Report**

Fiscal Year 2022 – July 1, 2021 to June 30, 2022

This Annual Report of the Office of Dispute Resolution (ODR) contains aggregate caseload statistics extracted from the caseload management system used by the ODR and the approved centers. Providing case statistics ensures transparency to the public and complies with statutory requirements (Neb. Rev. Stat. § 25-2920).



STATE OF  
**NEBRASKA**  
JUDICIAL BRANCH

Administrative Office  
of the Courts & Probation

## Mediation and Restorative Justice in Nebraska – An Overview

With the Dispute Resolution Act, Neb. Rev. Stat. § 29-2901 et seq., the State of Nebraska affirmed “there is a compelling need in a complex society for dispute resolution and restorative justice whereby people can participate in creating comprehensive, lasting, and realistic resolutions to conflicts and offenses.” This is accomplished through the Office of Dispute Resolution (ODR) approved mediation centers that make dispute resolution and restorative justice services available statewide. This annual report summarizes the number and types of disputes received by the approved mediation centers, the disposition of those disputes, and the problems encountered and recommendations made to address the problems.

### Services Provided by Approved Centers

Nebraskans in every county are served by a private nonprofit center that is approved annually by the State Court Administrator. These centers (Appendix A) provide a variety of services, including mediation and restorative justice. Mediation is available for a variety of disputes ranging from:

- Basic Mediation (e.g., small claims disputes, neighbor issues, employment matters, landlord/tenant conflicts, business/consumer concerns)
- Parenting Act Mediation (e.g., parenting plans, full divorce, modifications, child financial plans)
- Child Welfare Conferences (e.g., pre-hearing conferences, pre-hearing permanency review conferences, pre-hearing termination of parental rights conferences, family group conferences, child welfare mediation, child welfare facilitation)
- Juvenile Restorative Justice Facilitation (e.g., victim youth conferences, expedited family group conferences, truancy/excessive absenteeism conference, juvenile justice mediation/facilitation, circles)

### Case Summary Statistics

For the 2021-2022 fiscal year, the following graphics highlight case statistics. Of the overall case volume (4,381 cases), there were 2,190 cases mediated or facilitated, meaning that these cases “came to the table.” Of the remaining cases, 3.54% resolved prior to the mediation/facilitation; in 31.97% of cases one of the parties withdrew, declined participation, was non-responsive, or chose not to participate; 1.42% of cases were not appropriate for mediation; and 9.31% of cases were still open. The outcomes of mediated/facilitated cases were full agreement, partial agreement, no agreement, or facilitated only (applies to child welfare and juvenile restorative justice facilitations).

## Restorative Justice – Working Hard for a Solution

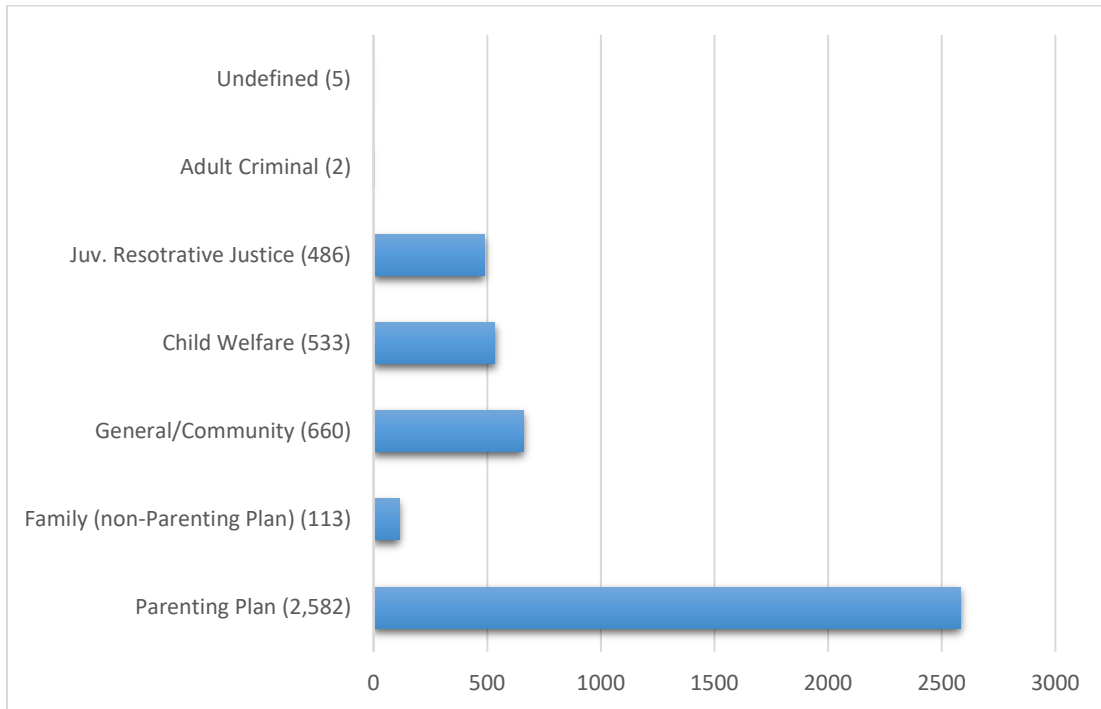
A center received a restorative justice (RJ) referral from the county attorney for two youth who participated in a burglary and vandalism of multiple businesses. This youth and her mother reluctantly agreed to participate in a Victim Youth Conference (VYC).

The RJ coordinator interviewed the youth individually to discuss the benefits of a Victim Youth Conference. Two of the victims agreed to participate in the VYC.

The initial conference could not be held as one of the youth was unable to participate at that time. The center rescheduled allowing everyone to attend.

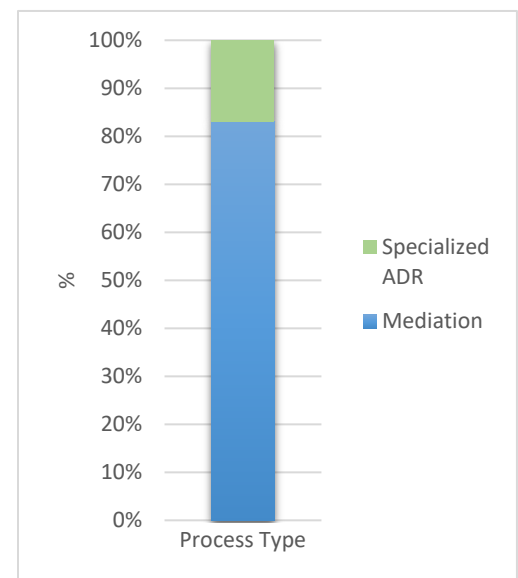
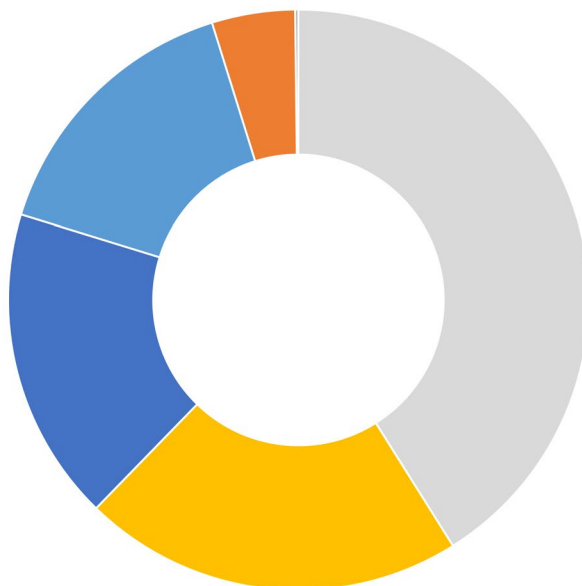
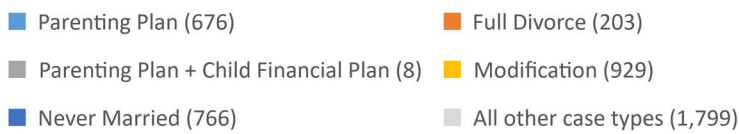
The victims shared how they were impacted and asked the youth several questions. The youth eventually expressed they understood the consequences of their behavior. Together, the victims and youth created a plan that was supported by all. This plan included apology letters, financial restitution, community service, and completing a workbook titled “Victim Awareness.” Overall, the youth were able to better understand the impact of their behavior and the victims felt relieved they were able to share how they were impacted and ask the youth questions.

## Total Case Volume – 4,381 Cases

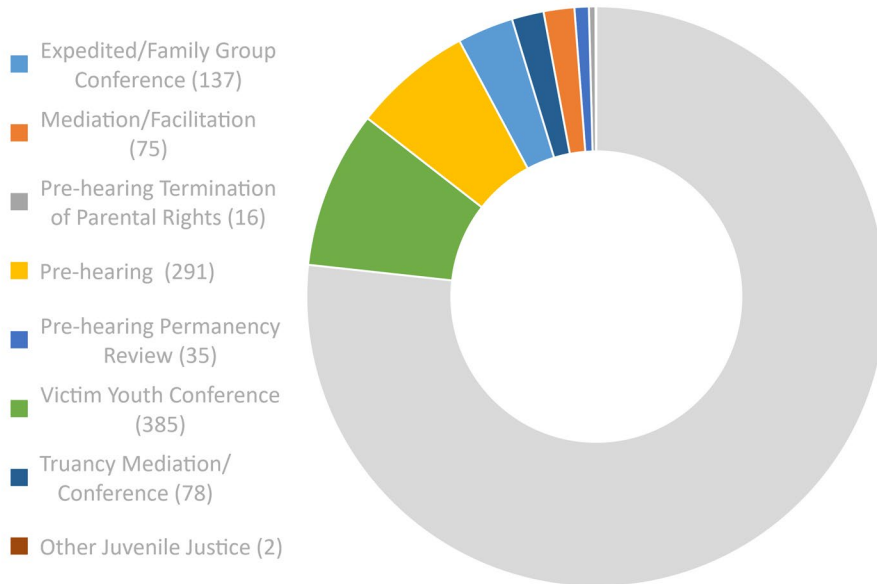


## Parenting Plan Cases (2,582)

Parenting plan cases are assessed to determine the appropriate process – mediation or specialized alternative dispute resolution (ADR), or if neither process is appropriate. The specialized ADR process is used when a mediator has determined that it is needed for a parent to be able to negotiate freely and make informed decisions and be able to address safety measures.



## Child Welfare and Juvenile Restorative Justice Cases (1,019)



## Overall Case Disposition of Closed Cases

1,443	Cases Mediated *
747	Cases Facilitated*
79%	Resolution *“Came to the table”

## Referral Sources

45%	Court
24%	Attorney
18%	Self/Family/Friend
9%	Gov’t Agency / Organization
4%	School

## Challenges and Recommendations

One of challenges this year was the Department of Health and Human Services (DHHS) resuming child welfare services in the eastern service area (ESA). This required education between the Concord Mediation Center, serving Douglas and Sarpy Counties, and DHHS, including an overview of services available, how referrals are made, and payment of services. Previously, the contracted child welfare providers (Promiseship, St. Francis) paid for child welfare facilitation services, primarily family group conferences, provided by Concord Mediation Center. However, payment of mediation and facilitation services for cases that are court involved are now paid by the Office of Dispute Resolution (ODR). The ODR is evaluating the impact of this increased caseload on the budget as no additional funds were received.



Another challenge continues to be the number of trained mediators available in the rural areas. The decrease in mediators can be attributed to a variety of reasons, including being uncomfortable when mediations are conducted using remote technology, required travel for in-person mediations, or lack of time outside their other professional commitments. For all centers and especially the rural ones, virtual mediations are here to stay. Each case is evaluated to determine the method of service. Some parties prefer the virtual option, especially if they live in different areas of the state, while other parties prefer to meet in person. For in-person mediations, mediators receive mileage but are not paid for their time. In the rural areas travel time can be extensive, especially with four centers covering 90 counties and four Tribal Nations. For example, a mediator may have to travel two hours to a session, two hours home, and spend two hours in session. For those six hours, mediators will only receive between \$50 to \$75 plus mileage reimbursement.

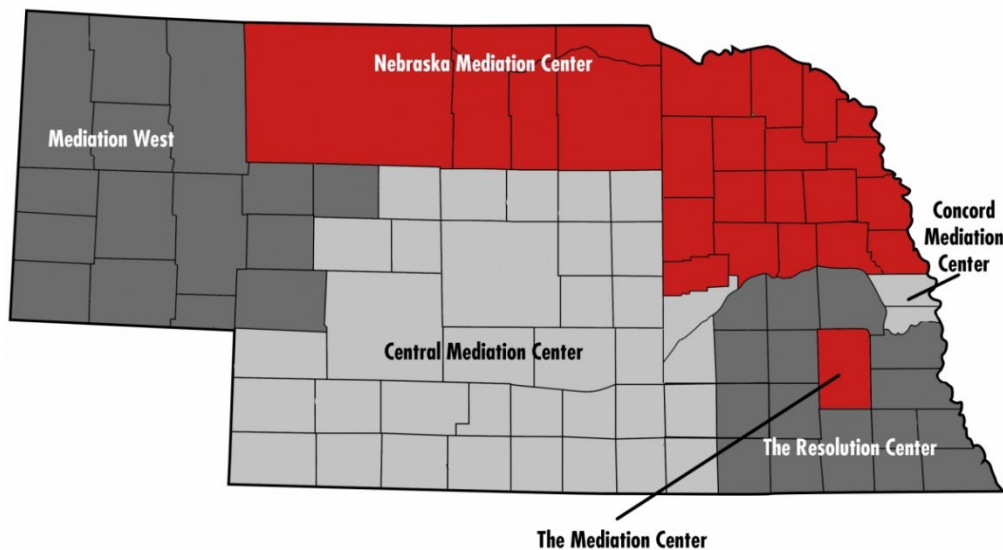
ODR will initiate a conversation with the Dispute Resolution Advisory Council to evaluate how services are paid and determine if there are equity issues between centers based on amount of travel time required to provide contracted services.



STATE OF  
**NEBRASKA**  
JUDICIAL BRANCH  
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[supremecourt.nebraska.gov/programs-services/mediation-restorative-justice](http://supremecourt.nebraska.gov/programs-services/mediation-restorative-justice)

## ODR-Approved Mediation Centers



### Central Mediation Center

**Executive Director:** Terrin Williams  
412 W. 48<sup>th</sup> Street, Suite 22, Kearney, NE 68845  
TEL 308.237.4692 | FAX 308.237.5027  
Email: [info@centralmediationcenter.com](mailto:info@centralmediationcenter.com)  
[centralmediationcenter.com](http://centralmediationcenter.com)

### Concord Mediation Center

**Executive Director:** Dan Bechtol  
4225 North 90<sup>th</sup> Street, Omaha, NE 68134  
TEL 402.345.1131 | FAX 402.884.7057  
Email: [contact@concord-center.com](mailto:contact@concord-center.com)  
[concordmediationcenter.com](http://concordmediationcenter.com)

### The Mediation Center

**Executive Director:** Casey Karges  
610 J Street, Suite 100, Lincoln, NE 68508-2936  
TEL 402.441.5740 | FAX 402.441.5749  
Email: [info@themediationcenter.org](mailto:info@themediationcenter.org)  
[themediationcenter.org](http://themediationcenter.org)

### Mediation West

**Executive Director:** Charles Lieske  
Office Hours (M-F): 9:00 a.m. to 4:00 p.m. MT  
615 South Beltline Highway West | P.O. Box 427  
Scottsbluff, NE 69363-0427  
TEL 308.635.2002 | FAX 308.635.2420  
Email: [info@mediationwest.org](mailto:info@mediationwest.org)  
[mediationwest.org](http://mediationwest.org)

### Nebraska Mediation Center

**Interim Executive Director:** Michele Lueders  
Dodge County Courthouse, 4<sup>th</sup> Floor  
P.O. Box 1062, Fremont, NE 68026  
TEL 402.753.9415 | FAX 402.721.6790  
Email: [nmc@nebraskamediationcenter.com](mailto:nmc@nebraskamediationcenter.com)  
[nebraskamediationcenter.com](http://nebraskamediationcenter.com)

### The Resolution Center

**Executive Director:** Sharon Schmidt  
120 South 5<sup>th</sup> Street, Beatrice, NE 68310  
TEL 402.223.6061 | FAX 402.223.6625  
Email: [info@theresolutioncenter.org](mailto:info@theresolutioncenter.org)  
[theresolutioncenter.org](http://theresolutioncenter.org)



The Fiscal Year 2022 Annual Report and previous Annual Reports are available online at:  
<https://supremecourt.nebraska.gov/programs-services/mediation-restorative-justice/reports-laws-policies-forms>

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<https://supremecourt.nebraska.gov/programs-services/mediation-restorative-justice>