

MINUTES OF THE ANNUAL MEETING
OF
THE NEBRASKA JUDICIAL RESOURCES COMMISSION
DECEMBER 12, 2011

The annual meeting of the Nebraska Judicial Resources Commission was held on December 12, 2011, in Room 1525, State Capitol in Lincoln, Nebraska, with remote sites in Omaha, Nebraska, and North Platte, Nebraska.

Judge McCormack called the meeting to order in Room 1525, State Capitol Building in Lincoln, Nebraska. Roll call by the Secretary:

PRESENT

Judge McCormack
Judge McDermott
Judge O'Neal
Judge Samson
Riko Bishop
Thomas Hoarty
Wayne Mark
Steven Mattoon
Robert Parker
Mark Sipple
Richard Carter
Mike Day
Jayne Mann
Lori Scherer
Amy Schlichting
Darlene Starman

ABSENT

Brian Phares

The Chairman called for approval of the minutes of the meeting of September 28, 2011. It was moved by Judge O'Neal, and seconded by Darlene Starman that the minutes be approved. Voting yes, all present.

Chairman announced that at this annual meeting the Commission would consider whether or not the caseload statistics warranted the filling of the judicial vacancy in the County Court of the 5th Judicial District of the State of Nebraska, by virtue of the retirement of Judge Marvin Miller; and pursuant to Neb. Rev. Stat. 24-1205 to determine whether (1) a new judgeship is appropriate in any judicial district or a reduction in judgeships is appropriate in any judicial district, or (2) the judicial district boundaries or the number of judicial districts should be changed for the district or county courts. The Commission shall also examine current caseload statistics and make any recommendations for the more balanced use of existing judicial resources.

The Chairman identified and received into the record Exhibits 1 through 10.

The Chairman then called for consideration of the vacancy in the County Court of the 5th Judicial District of Nebraska, as a result of the retirement of Judge Miller. The Chairman called for discussion. Testimony was presented by the County Judges of the 3rd Judicial District and representatives of the Nebraska State Bar Association and the Lincoln Bar Association, all recommending that the vacancy be moved from the 5th Judicial District to the 3rd Judicial District. Judge McDermott reported that the county judges of the 5th Judicial District did not oppose the movement of the vacancy. It was moved by Judge McDermott, and seconded by Mark Sipple, that a vacancy exists in the county courts of the State of Nebraska by virtue of the retirement of Judge Marvin Miller, but that the vacancy should not be filled in the 5th Judicial District County Court but should be filled in the County Court of the 3rd Judicial District. Voting yes, all present. Motion carried.

The Commission then considered a request from the District Court of the 2nd Judicial District for an additional district judge to serve the growing caseload and population as well as a request for additional judicial resources for the Separate Juvenile Court of the 4th Judicial District. After discussion, it was moved by Judge Samson, seconded by Judge O'Neal that the Commission shall further discuss allocation of additional resources for the 2nd Judicial District and the Juvenile Court of the 4th Judicial District at a future meeting, but no later than the Annual Meeting for the year 2012. Voting yes, all present.

There being no further business to come before the Commission, it was moved by Judge Samson and seconded by Jayne Mann that the Commission stand adjourned. Voting yes, all present. Motion carried. Meeting adjourned.

Respectfully submitted:

A handwritten signature in black ink, reading "Patrick R. McDermott". The signature is written in a cursive style with a horizontal line extending from the end of the name.

Judge Patrick McDermott, Secretary