

NEBRASKA JUDICIAL BRANCH

ANNUAL

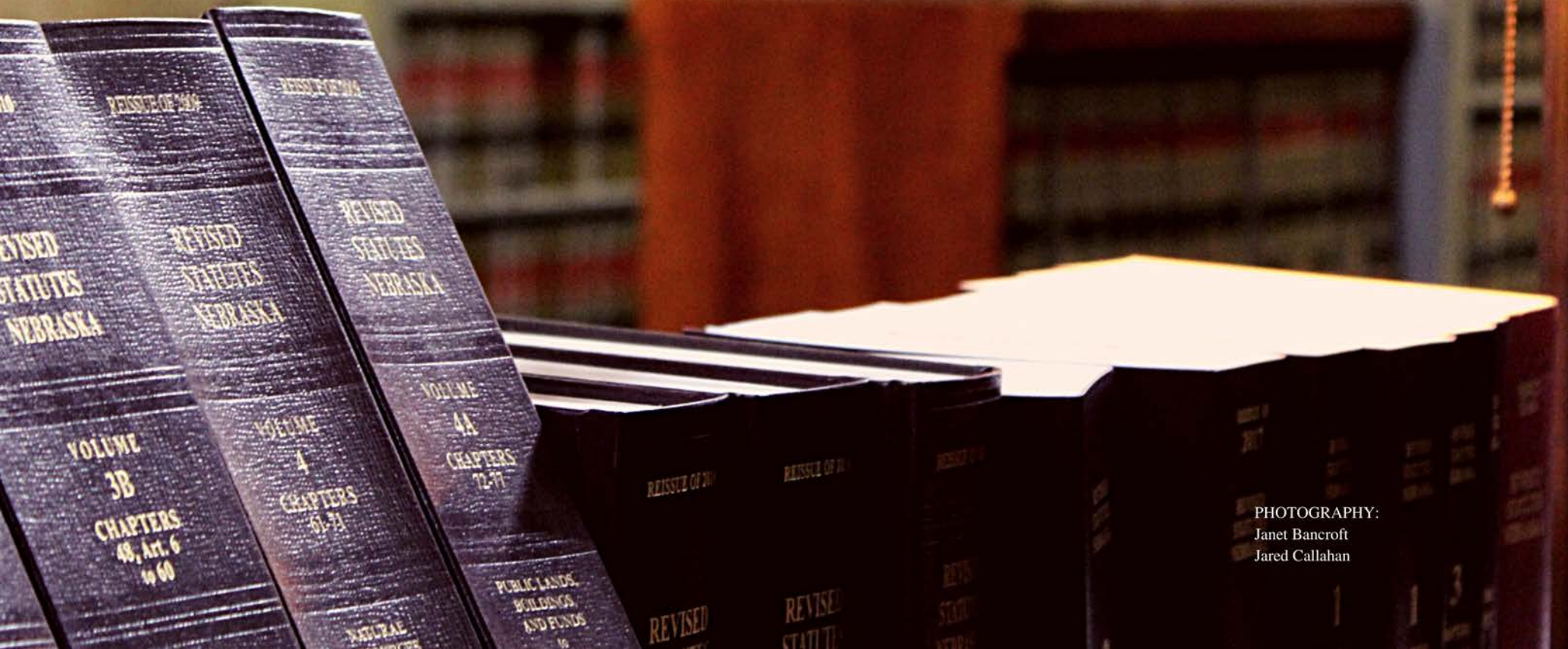


REPORT

JULY 1, 2021 - JUNE 30, 2022



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Jared Callahan



Annual Report | FY22

NEBRASKA ADMINISTRATIVE OFFICE
OF THE COURTS & PROBATION

August 2022



I am pleased to present the 2021-2022 annual report on behalf of the Nebraska judicial branch. The report provides an outline of the work and services of the court system as we recover from the pandemic and improve access to justice for all Nebraskans.

This year the Court undertook significant rule amendments designed to modernize practices and procedures throughout the court system. The ‘modernization project’ relates to facilitating and implementing mandatory electronic filing.

Mandatory electronic filing rules went into effect on January 1, 2022. Because of the significance of the rules, our Administrative Office spent considerable staff time reprogramming the Court’s computer system, developing forms, creating a portal for court reporting personnel, and developing resources and education for a smooth transition.

Justices of the Nebraska Supreme Court are honored to serve the citizens of this state. Our appellate and trial courts are committed to continuously improving the operation of the court and probation systems to serve better those who rely on our system of justice.

Chief Justice
Michael G. Heavican

6

NEBRASKA JUDICIARY

Supreme Court | Court of Appeals | New and Distinguished Judges | Judicial Leadership

11

FEATURED PROGRAMMING

Trial Court Week | Leadership Conference | Probation Officer Swearing-In | Judicial Responsibilities Video | Nebraska State Library

19

ADMINISTRATIVE OFFICE HIGHLIGHTS

Reports of the divisions and offices of the the Administrative Office of the Courts & Probation.

47

STATISTICS

Data reports of appellate courts, trial courts, and probation.





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

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

**JUSTICES OF
THE NEBRASKA
SUPREME COURT**



*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, FY2022

County Court:

Tanya K. Roberts-Connick Judicial District 11 01/10/2022

District Court:

Jeffrey J. Lux Judicial District 4 09/24/2021
LeAnne M. Srb Judicial District 4 12/01/2021
Molly B. Keane Judicial District 4 12/09/2021
Patrick M. Lee Judicial District 9 12/17/2021
Patrick M. Heng Judicial District 11 01/07/2022
Morgan R. Farquhar Judicial District 10 04/15/2022
Jason M. Bergevin Judicial District 5 06/17/2022

Separate Juvenile Court:

Jonathon D. Crosby Sarpy County 09/30/2021

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 Leigh Ann Retelsdorf, 4th Judicial District
- **County Court Judges' Association:** Judge C. Jo Petersen, 5th Judicial District
- **Separate Juvenile Judges' Association:** Judge Vernon Daniels, Douglas County

JUDICIAL EXCELLENCE: DISTINGUISHED JUDGES

Judge Stefanie Martinez, Sarpy County District Court, and Judge Vernon Daniels, Douglas County Separate Juvenile Court Judge, received the Supreme Court's highest honor on October 13, 2021, in LaVista at the annual judges' conference.

Chief Justice Heavican presented Judge Daniels with the Improvement of the Judicial System Award, and Judge Martinez received the Service to the Community Award. The annual awards recognize members of the judiciary for meritorious projects and exemplary accomplishments beyond their day-to-day duties as a judge.



Judge Stefanie Martinez
Sarpy County District Court
Service to the Community Award

Judge Vernon Daniels
Douglas County Separate Juvenile Court
Improvement of the Judicial System Award



2022 - FIRST ANNUAL:

TRIAL COURT WEEK

CELEBRATED IN NEBRASKA

DURING A MARCH 2022 SIGNING CEREMONY, CHIEF JUSTICE MICHAEL HEAVICAN PROCLAIMED **MARCH 21 - 25, 2022**, AS NEBRASKA TRIAL COURT WEEK THROUGHOUT THE STATE.

JUDICIAL REPRESENTATIVES FROM DISTRICT, COUNTY, AND SEPARATE JUVENILE COURTS CELEBRATED THE CRITICAL ROLE AND DEDICATION OF JUDGES, COURT CLERKS, AND STAFF STATEWIDE FOR THEIR WORK SUPPORTING THE COURT SYSTEM

FIND OUT MORE:




NEJUDICIAL.COM/TRIALCTWK22



Last year, the work of Nebraska Trial Court staff was critical in ensuring the safety of abused or neglected children in over 2,400 cases.

1,000+ adoptions

occurred in Nebraska in 2021, thanks to the work of Nebraska Trial Court staff across the state.

10,000+
ACTIVE GUARDIANSHIPS & CONSERVATORSHIPS

INCLUDING OVER 2,000 ADDED IN 2021, ARE MADE POSSIBLE BY THE TIRELESS WORK OF NEBRASKA TRIAL COURT STAFF.




Nebraska Trial Court Staff processed over **\$2.9 MILLION IN RESTITUTION** to victims in 2021.

In 2021, Nebraska Trial Court staff processed over **5,500 PROTECTION ORDERS** that were granted, helping keep fellow Nebraskans safe.






Chief Justice's **Leadership Conference**

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



2022 Leadership Reports:

During the May 2022 Chief Justice's Leadership Council, reports were submitted by the following chairs, on behalf of their colleagues:

- **Access to Justice Commission**, Justice Stephanie Stacy and Liz Neeley
- **Commission on Children in the Courts**, Judge Francie Riedmann and Judge Roger Heideman
- **Commission on Guardianship and Conservatorship**, Judge Francie Riedmann and Judge Holly Parsley
- **Dispute Resolution Advisory Council**, Judge Mike Pirtle
- **Judicial Branch Education Advisory Committee**, Judge Riko Bishop
- **PEOPLE Media/Community Outreach**, Justice Jeff Funke
- **Probation Services Committee**, Judge Jodi Nelson
- **Committee on Problem-Solving/Drug Courts**, Judge Jim Doyle
- **Statewide Security Clearinghouse Committee**, Justice John Freudenberg
- **Technology Committee**, Justice William Cassel
- **Workers' Compensation Court**, Judge Daniel Fridrich



41 NEW PROBATION OFFICERS SWORN-IN OCTOBER 2021

ONE LESS VICTIM
LESS CRIME
STEP CLOSER TO
SAFER COMMUNITIES

Leveraging technological innovations of the past few years, new probation officers throughout the state took their oath of office, as administered by the Chief Justice, while friends, family, and colleagues watched via livestream.



WATCH NOW:



nejudicial.com/judgeship

"NONE OF THIS IS ABOUT ME"

"NONE OF THIS. THIS IS ALL ABOUT BEING OF SERVICE TO THE PEOPLE IN THE STATE OF NEBRASKA. IT'S A NOBLE CALLING TO BE SELECTED TO SERVE."

DISTRICT COURT JUDGE RICK SCHREINER
FIRST JUDICIAL DISTRICT

To further the understanding of the duties of a judge, District Court Judge Rick Schreiner assisted in the creation of an educational video on the limitations, obligations, and responsibilities of those serving on the bench. Watch the video at the link above.



MOVING DAY

Nebraska State Library settles back in to the State Capitol Building

Capitol construction required the Nebraska State Library to vacate its home on the third floor of the State Capitol over two years ago.

Temporarily housed at the UNL College of Law through a generous offer of on-campus space in the Schmid Law Library, the Library made its move back to the Capitol in November 2021.

The Nebraska State Library serves the needs of the Nebraska Supreme Court, the Nebraska Court of Appeals, attorneys within the State of Nebraska, members of the Nebraska Legislature and their respective staffs, members of other state agencies, self-represented litigants, and interested members of the general public.

The Nebraska State Library is the oldest public library in the state.

In 1855 (before the territory of Nebraska became a state), Congress appropriated monies to the territory of Nebraska for library resources. In 1871, the Nebraska Legislature enacted a statute specifically relating to the creation of the Nebraska State Library.



Left: Deputy State Librarian Maureen Eck oversees the return of materials.

Above: Catalog materials and the last vestiges of renovation come together during the return move.

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 - 7 Judges

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

COUNTY COURTS -

58 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

NEBRASKA COURT STRUCTURE



As of 6.30.2022



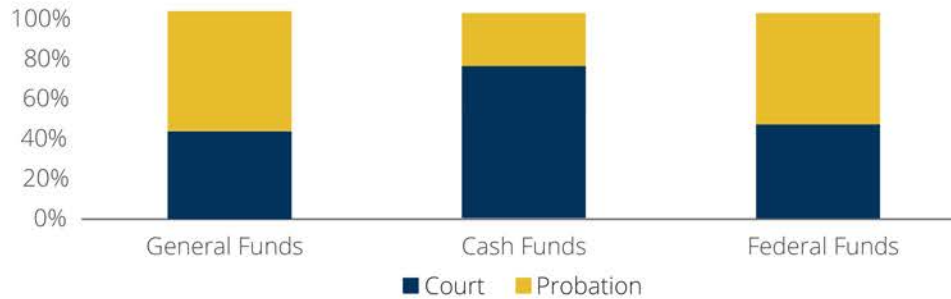
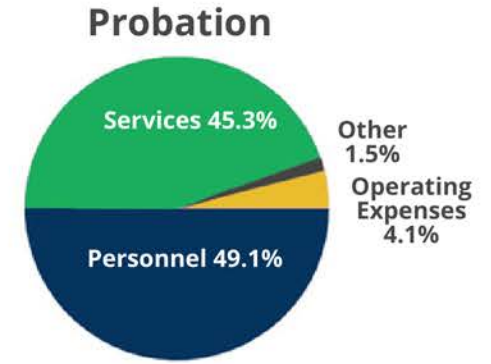
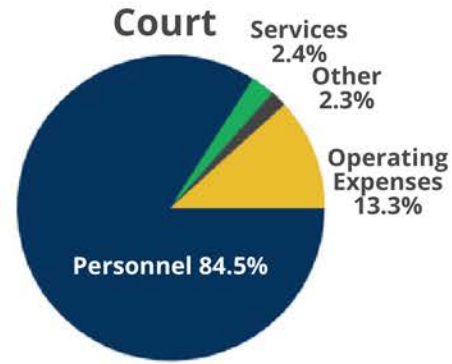
ADMINISTRATIVE OFFICE OF THE COURTS & PROBATION

Fiscal Year Highlights:

- 21 Court Services
- 27 Office of Public Guardian
- 28 Attorney Services
- 29 Court Improvement Project
- 30 Juvenile Probation Services
- 31 Problem-Solving Courts
- 33 Adult Probation Services
- 34 Information Technology
- 35 Operations

Total Expenditures by Major Account Category FY22

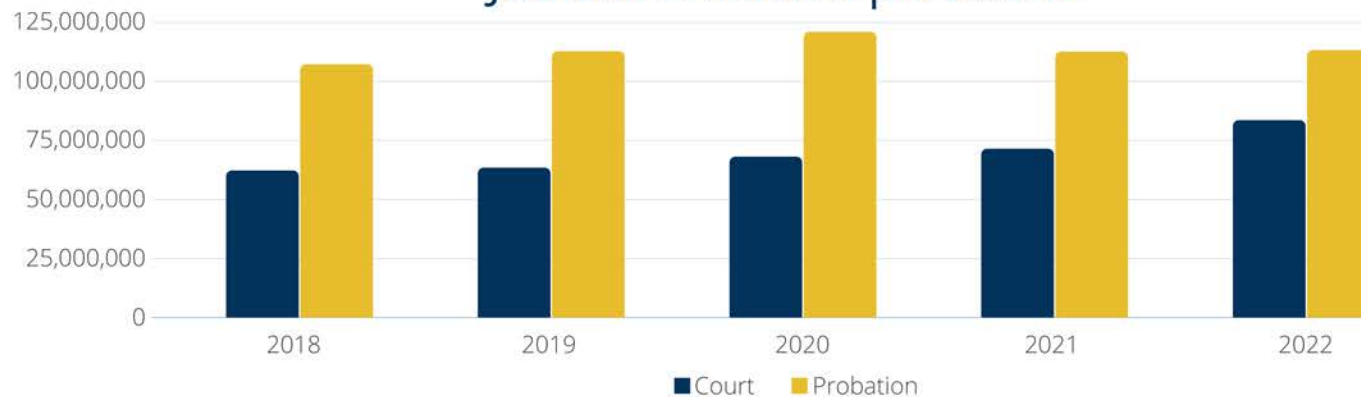
	Court	Probation	Total
Personnel	70,064,943	59,653,151	129,718,094
Operating Expenses	9,810,312	7,246,235	17,056,547
Services	1,989,745	44,171,311	46,161,056
Travel	722,578	1,063,369	1,785,947
Equipment	27,224	838,472	865,696
Grant-in-Aid	770,000	-	770,000
Total	83,384,802	112,972,538	196,357,340



Total Expenditures by Fund Source FY22

	Court	Probation	Total
General Funds	76,715,988	110,445,452	187,161,440
Cash Funds	6,138,394	1,872,374	8,010,768
Federal Funds	530,420	654,712	1,185,132
Total	83,384,802	112,972,538	196,357,340

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.



Furnas County District Court



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 the district, county, and separate juvenile courts and provides assistance and trial court services resources to the public.



Provided information, forms and, (with Judicial Branch Education) education for court staff to implement the Nebraska Supreme Court modernization rules. At the request of judges, bailiffs, and dual clerks (clerks of both the district and county courts), specialized education and resources were created on petit and grand jury management, technology, and the JUSTICE case management system.



Worked with court staff and independent court reporters and transcriptionists to coordinate sharing of records and address questions regarding new processes for saving, sharing and transcribing the trial courts' audio recording. This included updating the court reporting personnel manual and developing education for court reporting personnel.



In response to requests from the public looking for documentation and often set-aside of past convictions for purposes of licensure, for example, the County Court Records Retention Schedule was amended to allow for permanent retention of criminal records.



Efforts were also focused on reinforcing and enhancing support to the District Court Procedures Manual Committee and creating new District Court Clerk Committee tasked with helping to reformat the self-help pages on the Judicial Branch website and developing simpler to understand case-specific processes for self-represented litigants.



TRIAL
DOCKET

18



TRIAL
DOCKET

18



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.

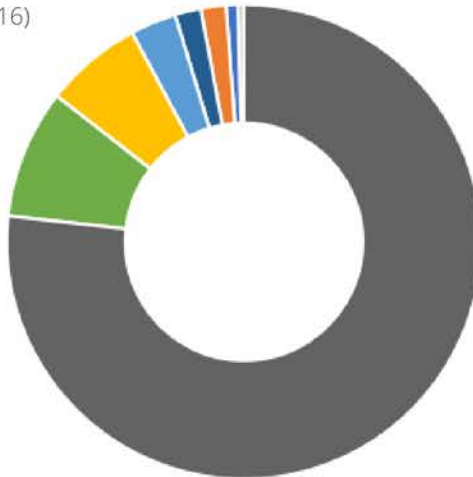
4,381

TOTAL CASE VOLUME

Parenting Plan (2,582), Family (113), General/Community (660), Child Welfare (533), Juvenile Restorative Justice (486), Adult Criminal (2), Undefined (5)

Child Welfare & Juvenile Restorative Justice

- Pre-hearing Termination of Parental Right (16)
- Pre-hearing (Initial Removal) (291)
- Pre-hearing Permanency Review (35)
- Expedited/Family Group Conference (137)
- Victim Youth Conference (385)
- Mediation/Facilitation (75)
- Truancy Mediation/Conference (78)
- Other Juvenile Justice (2)
- All other case types (3,362)



Parenting Plan Mediations

- Parenting Plan (676)
- Full Divorce (203)
- Parenting Plan + Child Financial Plan (8)
- Modification (929)
- Never Married (766)
- All other case types (1,799)





Court Services

LANGUAGE ACCESS

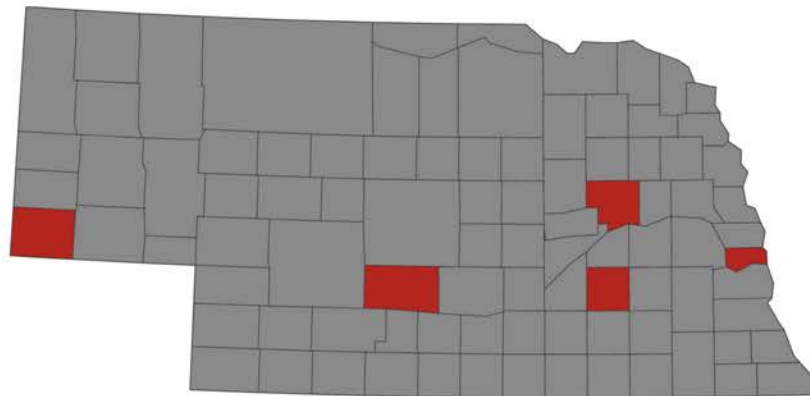
The **Language Access Program** recruits, trains, and certifies spoken language court interpreters and coordinates the appointment of qualified professional interpreters across the state to serve as communication conduits for limited English proficient (LEP) court and probation users at no cost to the LEP individual, regardless of case type.

\$1.48 million
FY22 budget

Spanish remains the most commonly interpreted language in the Nebraska Judicial Branch, but a diversity of languages are spoken in Nebraska.

Kimball County District Court: A Mandarin interpreter appeared by Webex for arraignment, preliminary hearing, status hearing, plea, and sentencing.

Platte County District Court: Two Spanish interpreters for LEP parents subpoenaed as witnesses in a murder jury trial in Platte County. In addition, the Language Access Program arranged through the Nebraska Commission for the Deaf and Hard of Hearing for two assistive listening devices in the event jurors selected for this trial had impairments. Two Vietnamese interpreters provided language access for a defendant in a 2-day jury trial on charges of Burglary and Theft by Unlawful Taking.



Sarpy County, District and County Courts: Chuukese interpreters utilized for one criminal case in District Court and one criminal case in County Court.

Dawson County Court: A Pohnpeian interpreter appeared by Webex for two preliminary hearings. Two Kunama interpreters appeared in person to provide language access to the mother of three juveniles for an all-day Termination of Parental Rights hearing.

York County District Court: Arabic, French, Laotian, and Spanish interpreters all appeared in person on the same date in York District court for arraignments in criminal cases.



Court Services

ACCESS TO JUSTICE

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.

Strategic Agenda:

On June 15, 2022, the Nebraska Supreme Court accepted the Access to Justice Commission Strategic Plan FY2023-2028. This strategic plan is the first comprehensive strategic plan of the Access to Justice Commission and will guide the work of the Commission, and all its standing committees and working groups, for the next five years.



<https://nejudicial.com/a2jstrategic>



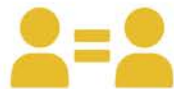
All court users should have access to understandable legal information and resources so they can navigate the court system efficiently and effectively.



All court users should have access to legal representation and advice.



All court users should have their cases resolved fairly and efficiently.



All court users should have equal access to court services, enjoy full participation in the judicial process, and be treated with fairness, dignity, and respect.



The Access to Justice Commission should collaborate with court users, court administration, and justice stakeholders to engage and educate the public about the courts and to improve the collection of reliable data to support evidence-based recommendations.

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 providing the means of last resort as guardians or conservators for those situations where no family member or suitable individual is available, the OPG provides education, training, support for guardians and conservators, and recruits individuals to serve as guardians and 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 **884** times as of 6.30.22, serving as guardian and/or conservator in **490** of those cases.

105



Nominations in FY22



1,401

Private guardians and/or conservators trained

ATTORNEY SERVICES

Carole McMahon-Boies, Administrator

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. **175 examinees sat for the July 2021 exam, up from 144 the previous year.**

7,049
Active attorneys

3,066
Inactive attorneys



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 juvenile 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 2021 CIP Regional Conference took place in person in Ogallala and Omaha. The Omaha event was also live-streamed on the CIP YouTube channel, allowing stakeholders across the state to benefit from the education and speakers.



Additionally, for the first time, CIP provided the National Association of Counsel for Children Red Book training to over 200 attorneys and court stakeholders, focused on federal and state child welfare law and practice.

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): Juvenile Probation Services was awarded an "Office of Juvenile Justice & Delinquency Prevention" grant to assess and enhance the management and day-to-day operations of probation and the broader juvenile justice system. The JJSEN initiative employs assessment, recommendations, and technical assistance from experts in the field of juvenile justice to optimize youth and family outcomes. The primary component is a 'Probation System Review,' which assesses key areas of probation practice and determines if they are up to par with the national best practice.

Additional components of the JJSEN work include:



Data Capacity System Assessment to examine and improve Nebraska's alignment with the Fundamental Measures for Juvenile Justice. This component is led by of the National Center for Juvenile Justice.



Risk, Needs, and Responsivity: Screening and Assessment Review with an emphasis on matching behavioral health (substance use, mental health, and trauma) available to community-based resources. This component is currently led by National Youth Screening & Assessment Partners.



Implementation Science Foundation outlines skills and competencies necessary to support implementation efforts, ensure sustainability, and achieve positive impacts. Led by the 'Impact Center at Frank Porter Graham'.

PROBLEM-SOLVING COURTS

INNOVATIVE
EFFECTIVE



This past March, two of Nebraska's Problem-Solving Courts, housed in Lancaster County, were designated as national mentor courts by the National Association of Drug Court Professionals (NADCP).

As part of NADCP's mentor court network for 2022-2024, the Lancaster County Adult Drug Court and Lancaster County Veterans Treatment Court will help develop, identify, and test national best practices and provide technical assistance to jurisdictions interested in implementing an adult drug treatment court, including hosting site visits by team members from other jurisdictions around the country.

During a December 2021 presentation, Veteran Mentors for the Lancaster County Veterans Court thanked the Chief Justice for his leadership during a coin presentation ceremony in the Supreme Court courtroom.

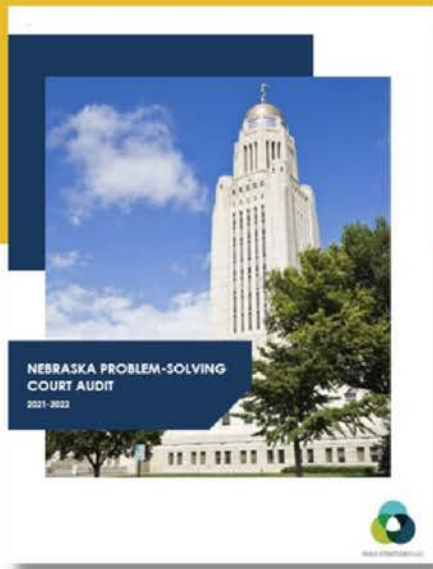


Chief Justice Heavican accepts the coin (above) from Veterans Court mentors.



Lancaster County Veterans Treatment Court

PROBLEM-SOLVING COURT AUDIT



A subcommittee of the Nebraska Supreme Court Committee on Problem-Solving Courts, collaborating with the National Center for State Courts, developed a fidelity review process to assess all Nebraska problem-solving courts' adherence to Supreme Court-approved best practice standards. The fidelity review process, referred to as the audit, was approved by the Supreme Court Committee on Problem-Solving Courts on April 14, 2021, and by the Supreme Court on June 2, 2021.

Individual program evaluation is critical to ensure programs are successfully implementing, and adhering to, best practices. Programs that make routine modifications based on data analysis and evaluation are more likely to reduce recidivism, promote sustained recovery, and operate in a cost-effective manner (2022-2025 Strategic Plan for Nebraska Problem-Solving Courts).

Between September 2021 and March 2022, every Nebraska problem-solving court participated in the audit process. The audit consisted of a policy manual review, site visit, participant surveys, team surveys, and data and case reviews. The goals of the audit were to:

- Establish a statewide audit process that is transparent, objective, understandable, and replicable.
- Establish a baseline understanding of each problem-solving court's current alignment with best practice standards.
- Identify what is working within the existing Nebraska problem-solving courts.
- Provide training and technical assistance to each problem-solving court to improve alignment with best practice standards, as needed.

Following the release of the audit results, the Administrative Office of the Courts and Probation will provide technical assistance to each problem-solving court to improve alignment with the Nebraska best practice standards. Upon completion of technical assistance to the problem-solving courts, the results of the audit will be available on the Nebraska Judicial Branch website. All Nebraska problem-solving courts will participate in the audit process no less than every three years.

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.

89% of the post-release supervision population was categorized as high to very high risk to reoffend. Nebraska Probation's community-based supervision continues to effectively reduce adult recidivism. **Currently, the recidivism rate for the post-release supervision population in Nebraska is 27%.****

13,823 adults supervised on probation. Including 1,252 on post-release supervision.

Individuals receive access to programs and services, including behavior change, employment, and life skill programming, allowing them to become gainfully employed and rejoin their communities, support their families, and pay restitution and taxes.

*(Olson, et al. An Assessment of Community Supervision Incarceration Responses in Nebraska and Utah, 2022)

** (Wiener, et al. Predicting Recidivism for Post Release Supervision Releasees, 2021)



18%



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.*

Currently, the recidivism rate for all adult probationers in Nebraska is 18%.

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

Jennifer Rasmussen, Deputy Administrator

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



7.8 million court case views online

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



\$28,000,000 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.



20,000 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.

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
- Judicial Branch required education as well as career development
- 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





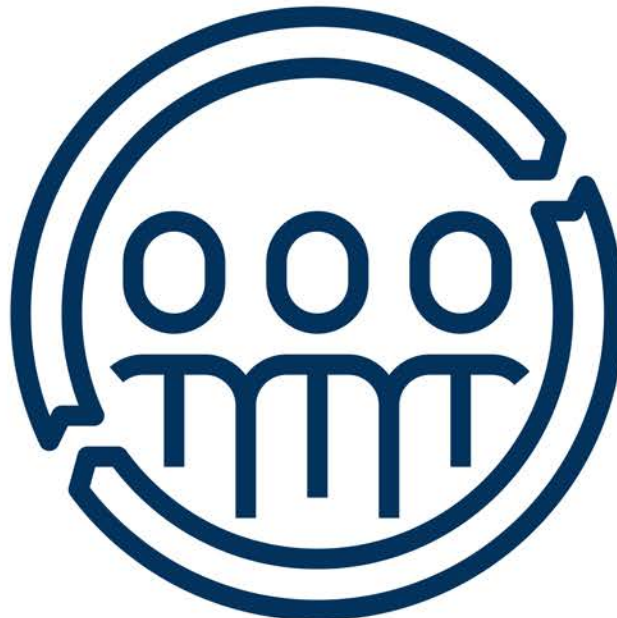
HUMAN RESOURCES

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.



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

299
New
Employees Processed



318
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 60 out-of-state juvenile runaways.



Operations

JUDICIAL BRANCH EDUCATION

Judicial Branch Education (JBE) provides essential continuing education intending to maintain and increase professional competence, ensuring the delivery of quality services to the people of Nebraska. Supreme Court Rules and the Judicial Advisory Committee outline minimum education requirements for all judges 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 and distance learning events. The Office also assists outside stakeholders in meeting mandatory educational requirements to fulfill their roles as part of Nebraska's judicial system.



Training for Trainers (T4T) is regularly offered and has been completely redesigned. The new blended curriculum uses a combination of learning environments and modes of instruction. Self-paced online modules, live online instructions, and classroom learning events make this a highly interactive and innovative training. Over the span of four weeks, participants are no longer required to travel to Lincoln for a five-day in-person training, making it more accessible to staff across the state and engaging for various learning styles. This curriculum is for management team members, staff mentors, and leaders who want to understand curriculum development, improve their presentation skills, and volunteer to train classes offered by the Judicial Branch Education.

In late 2021, a new leadership development cohort for trial court staff was created. Twelve clerk magistrates from across the state participated in this program, meeting four times throughout the year. The topics for the four sessions were: Self Awareness, Team Dynamics and Conflict Resolution, Leading Projects and People, and, Influence and Legacy. A second cohort begins late 2022.



Operations

Web Design & Communications

The **Office of Web Design & 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.

 **>5.4 million**

In FY22, the Nebraska Judicial Branch website served 5,477,517 page views to visitors.

Included in the views are those accessing the 371 news stories from the last fiscal year. These stories highlight the work of all areas of the Branch.

 **371**
stories published



A series of video interviews with employees throughout the state highlight the experience of working for the Nebraska Judicial Branch. A common theme echoed to viewers, especially those seeking employment, was the commitment to service.



NEJudicial



NEJudicialBranch



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 students. The Office assists both national and 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.

Commemorating Five Years of News Cameras in Nebraska's Trial Courts

March 1, 2022, marked the five-year implementation anniversary of the Expanded Media Rules for Nebraska's trial courts. The welcoming of news cameras in Nebraska's courtrooms came after decades of study by judges throughout the state.

Through an assignment from the Chief Justice's Leadership Council, a team of judges researched and proposed uniform Supreme Court rules permitting cameras and other recording devices into district and county courtrooms statewide.





EXPANDED MEDIA IN NEBRASKA

"We are now seeing expanded news media coverage throughout the state, and the news media and courts have professional and positive working relationships."

This endeavor is building mutual support for the important role that Nebraska's courts play in the lives of our citizens and recognizes the necessity to maintain professional and timely reporting of newsworthy cases."

Chief Justice Michael Heavican

March 30, 2018

Nebraska State Bar Foundation

Fellows Dinner public service award presentation



PUBLIC EDUCATION & COMMUNITY OUTREACH

*TRAVELING APPELLATE ARGUMENTS,
MOCK TRIAL JUDGING, JOB SHADOWING,
GUEST SPEAKERS, AND MORE.*

The Judicial Branch is committed to providing law-related education to students and adults to ensure that Nebraskans understand the workings of the democratic institutions and maintain confidence in the court system.



5th GRADE JOB SHADOWING



HAMILTON COUNTY, 2022

“I think community outreach, especially with young people, is hugely important. It helps promote good citizenship, and it encourages the next generation to become involved in their community and to be leaders. I try to take every opportunity to speak to school students.”

I try to convey to students the importance of their involvement in their government. I also tell them that despite being from a small town, they have every opportunity available to them.

I strongly encourage any sitting judge to have students come to their courtroom because it is so rewarding.”

JUDGE RACHEL DAUGHERTY

District Court, 5th Judicial District
(Boone, Butler, Colfax, Hamilton, Merrick, Nance,
Platte, Polk, Saunders, Seward, and York Counties)

EDUCATION OUTREACH ENGAGEMENT



In partnership with law-related entities, statewide events are carried out each year, as are individual programs on the local level. Nebraska judges and Judicial Branch professionals regularly speak to community and student groups both inside the courtroom and within their communities.

Trial courts and judges participate in Nebraska's Law Day Job Shadowing program for 5th graders where students visit courtrooms for various law-related lessons. Courts also participate in the High School Mock Trial program, County Government Day, and speakers' bureaus.

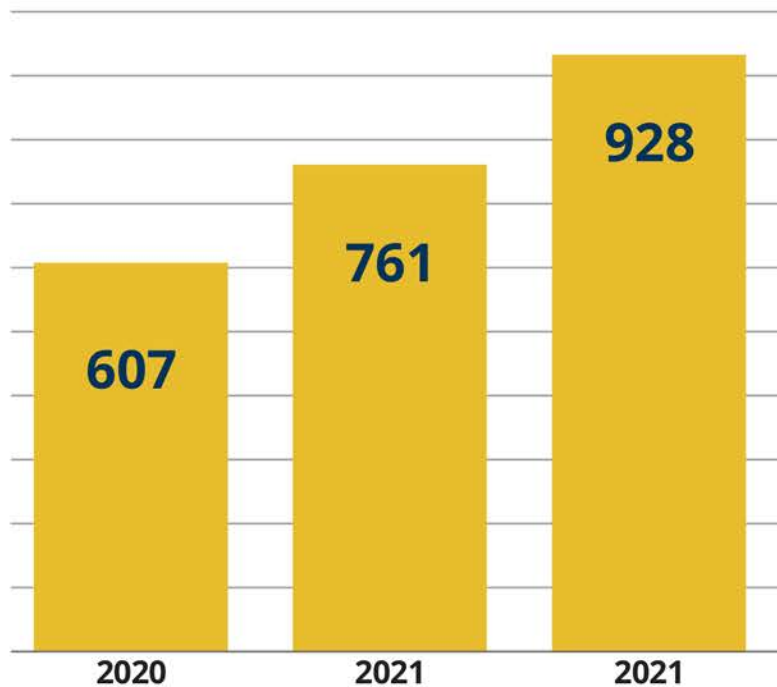
Nebraska's appellate courts provide outreach with programming focused on high schools, colleges, and law schools, including events tied to nationally recognized celebrations of Law Day (May 1) and Constitution Day (September 17). Argument sessions are held within the educational facility and preceded 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.



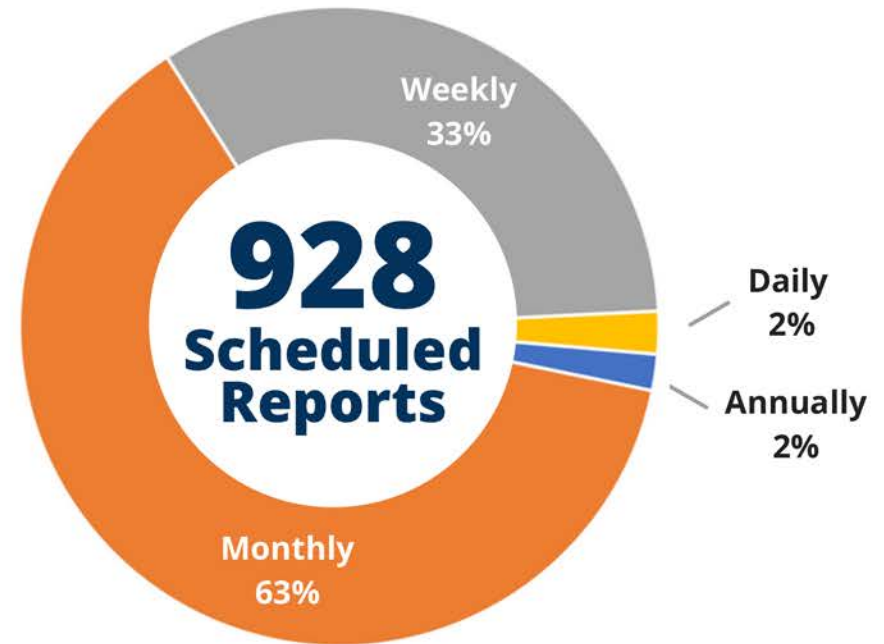


Operations Division Research & Data

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 **18% increase** in the number of automated reports developed and completed from FY21 to FY22. Looking back to FY20, the **increase is 35%** to FY22.



Over 2,500 reports are generated. Of those, **928 reports are set for automatic distribution** to staff on a daily, weekly, monthly, or quarterly basis.

STATISTICS

FY22



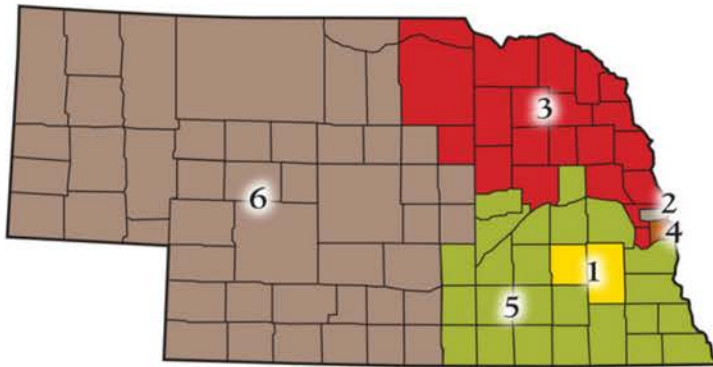
49	APPELLATE COURTS
50	TRIAL COURTS
56	PROBATION CASES

Nebraska Court Case Filings

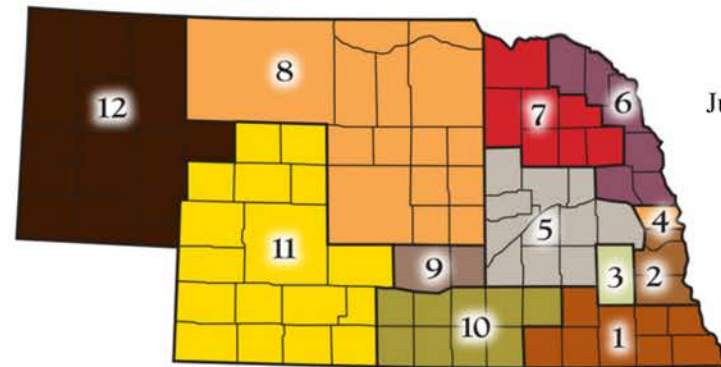
DISTRICT INFORMATION

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.

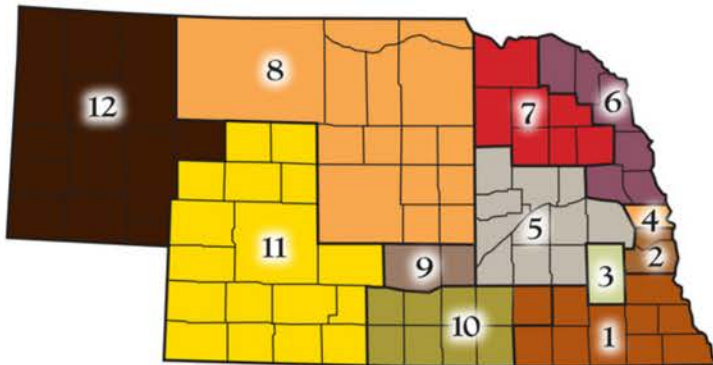
Supreme Court & Court of Appeals Judicial Districts



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.

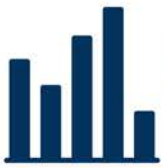
When Appellate Courts hear arguments in communities across the state, the audio recording is archived on the website.

Caseload - Nebraska Supreme Court

	FY19	FY20	FY21	FY22
New Cases Docketed	56	52	61	61
• Petitions to Bypass Filed	42	53	50	42
• Petitions to Bypass Granted	30	30	37	24
• Petitions to Bypass Denied	20	20	16	18
Cases Transferred from Court of Appeals	184	171	108	127
• Petitions for Further Review Filed	238	258	216	145
• Petitions for Further Review Granted	15	13	11	6
• Petitions for Further Review Denied	218	246	207	147
Cases Disposed by Opinion	222	206	219	140
Cases Disposed Without Opinion	55	52	36	49
Total Cases Disposed	277	258	255	189

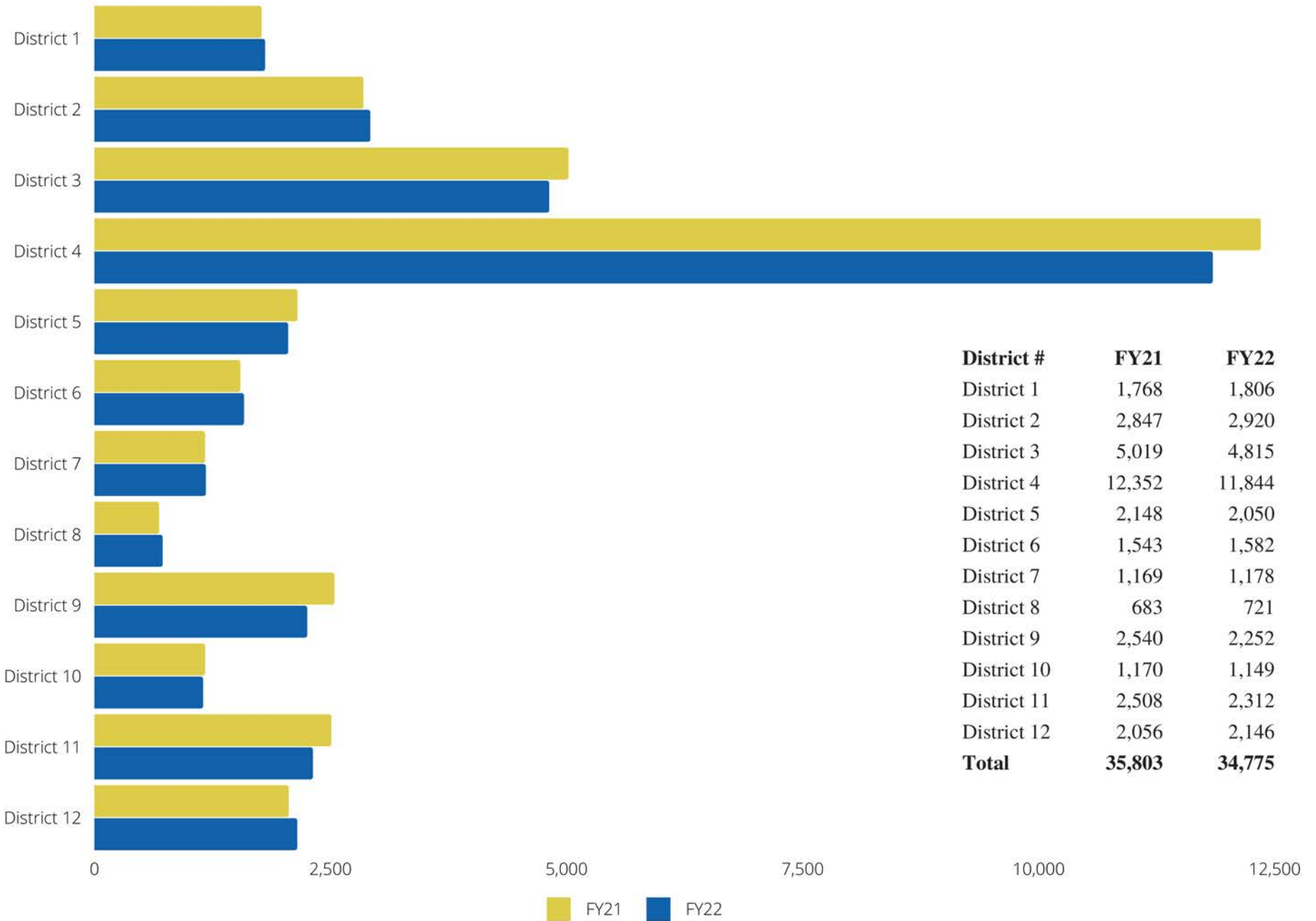
Caseload - Nebraska Court of Appeals

	FY19	FY20	FY21	FY22
New Cases Docketed	1,133	1,007	932	928
• Transferred to the Supreme Court	184	171	108	127
• Petitions to Bypass Granted	24	36	37	24
Cases Disposed by Opinion	434	486	401	308
Total Cases Disposed	978	968	819	793



Nebraska Court Case Filings

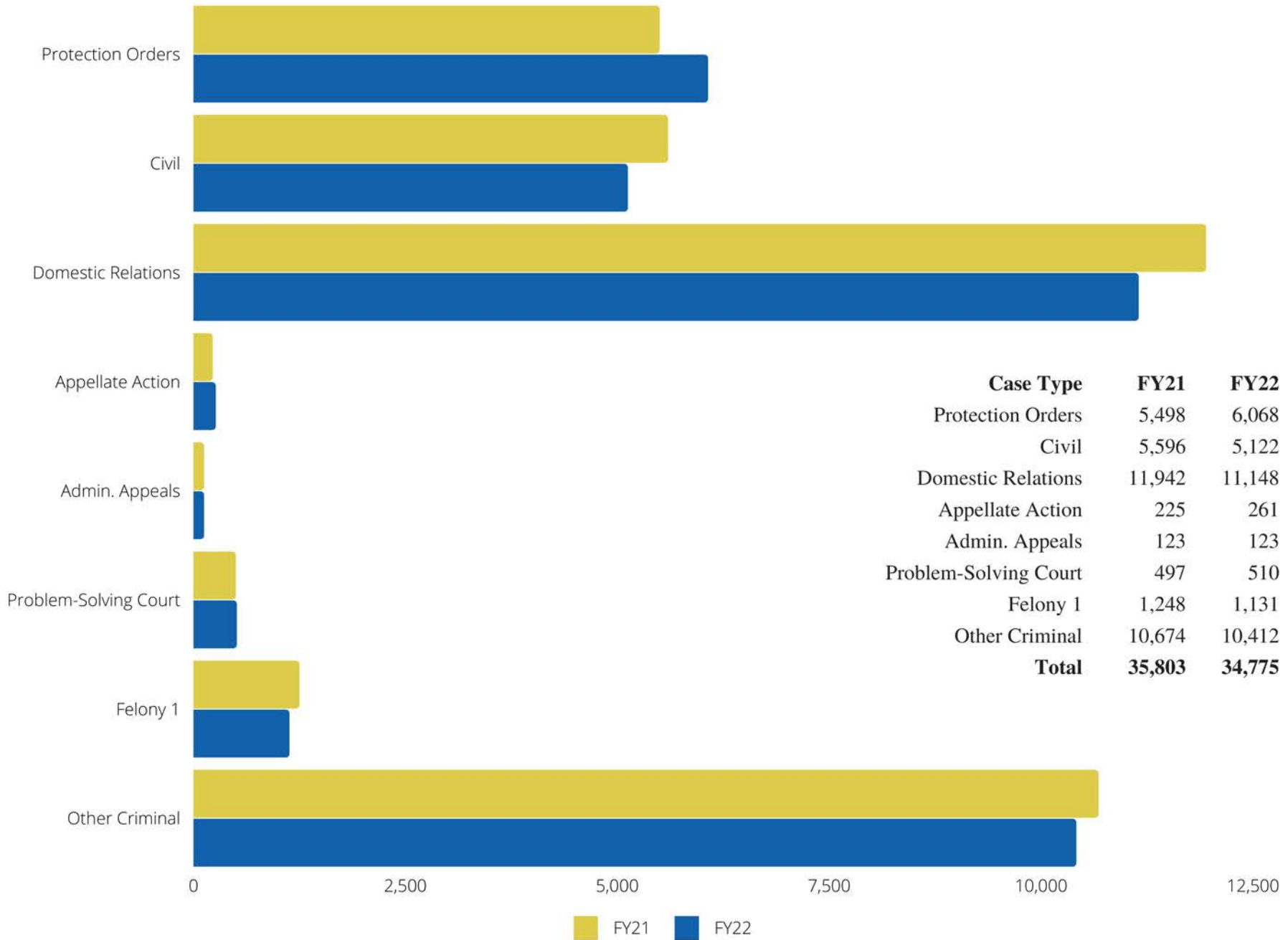
DISTRICT COURT CASE FILINGS BY DISTRICT FY22

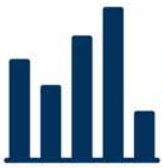




Nebraska Court Case Filings

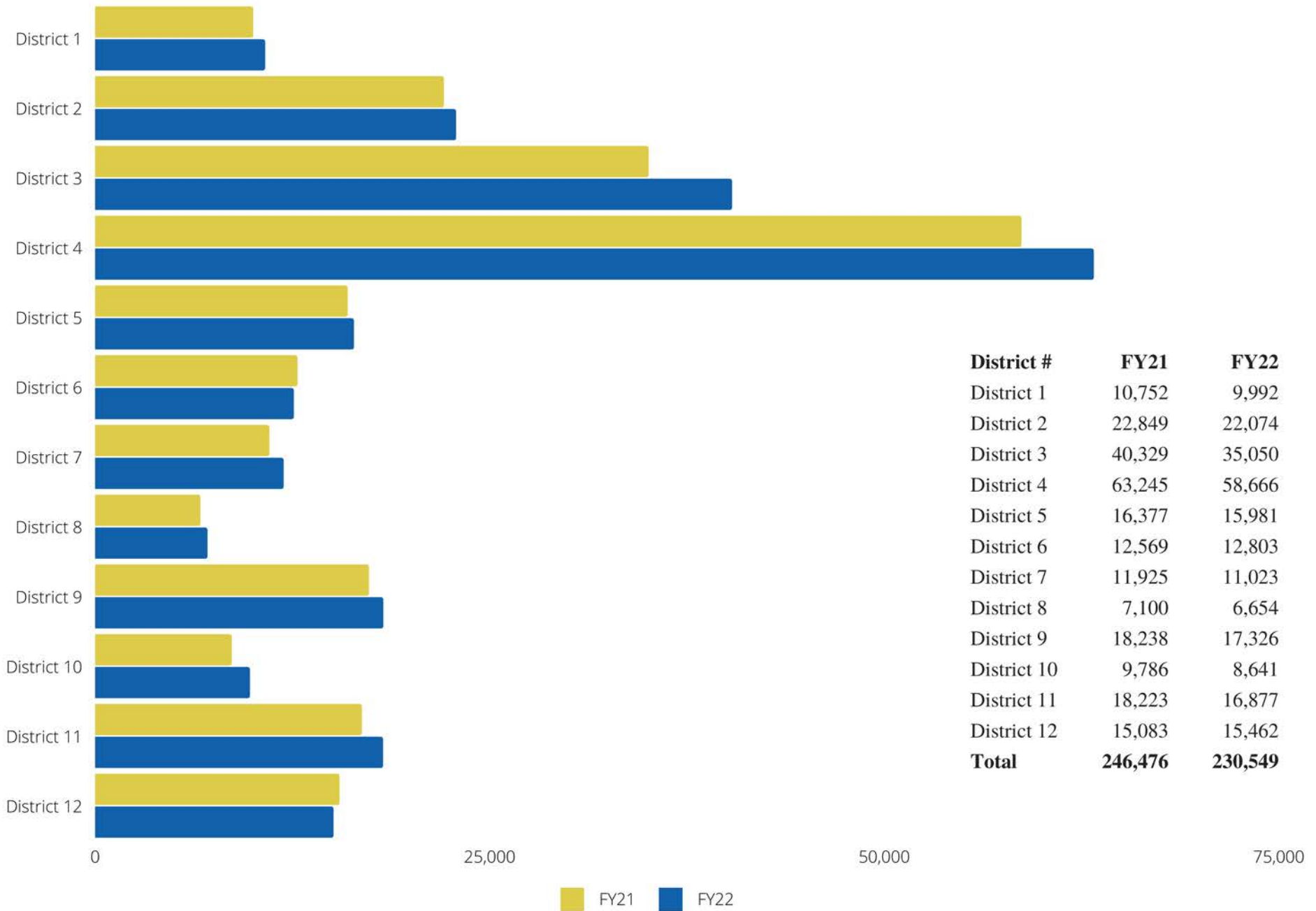
DISTRICT COURT CASE FILINGS BY CASE TYPE FY22





Nebraska Court Case Filings

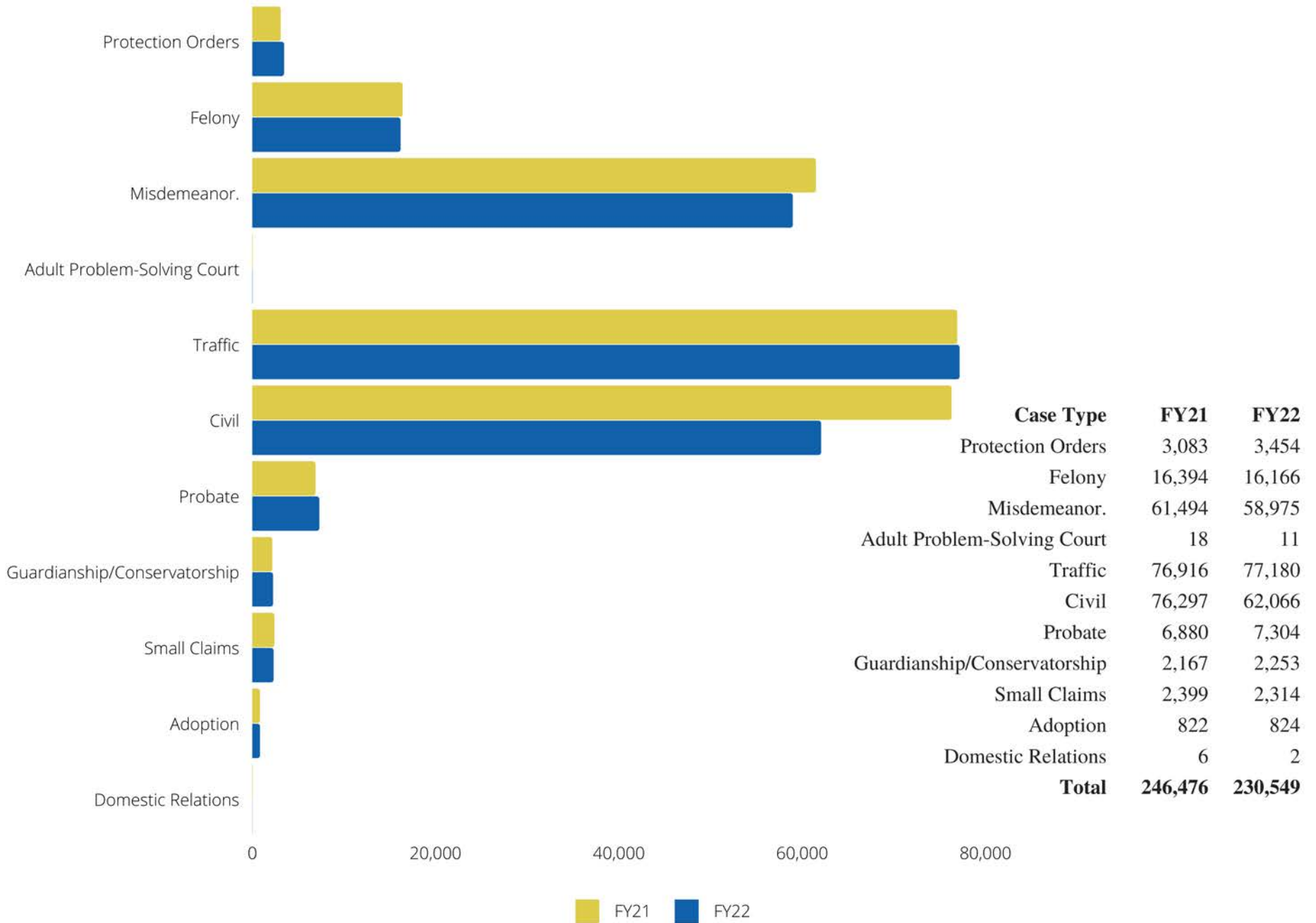
COUNTY COURT CASE FILINGS BY DISTRICT FY22





Nebraska Court Case Filings

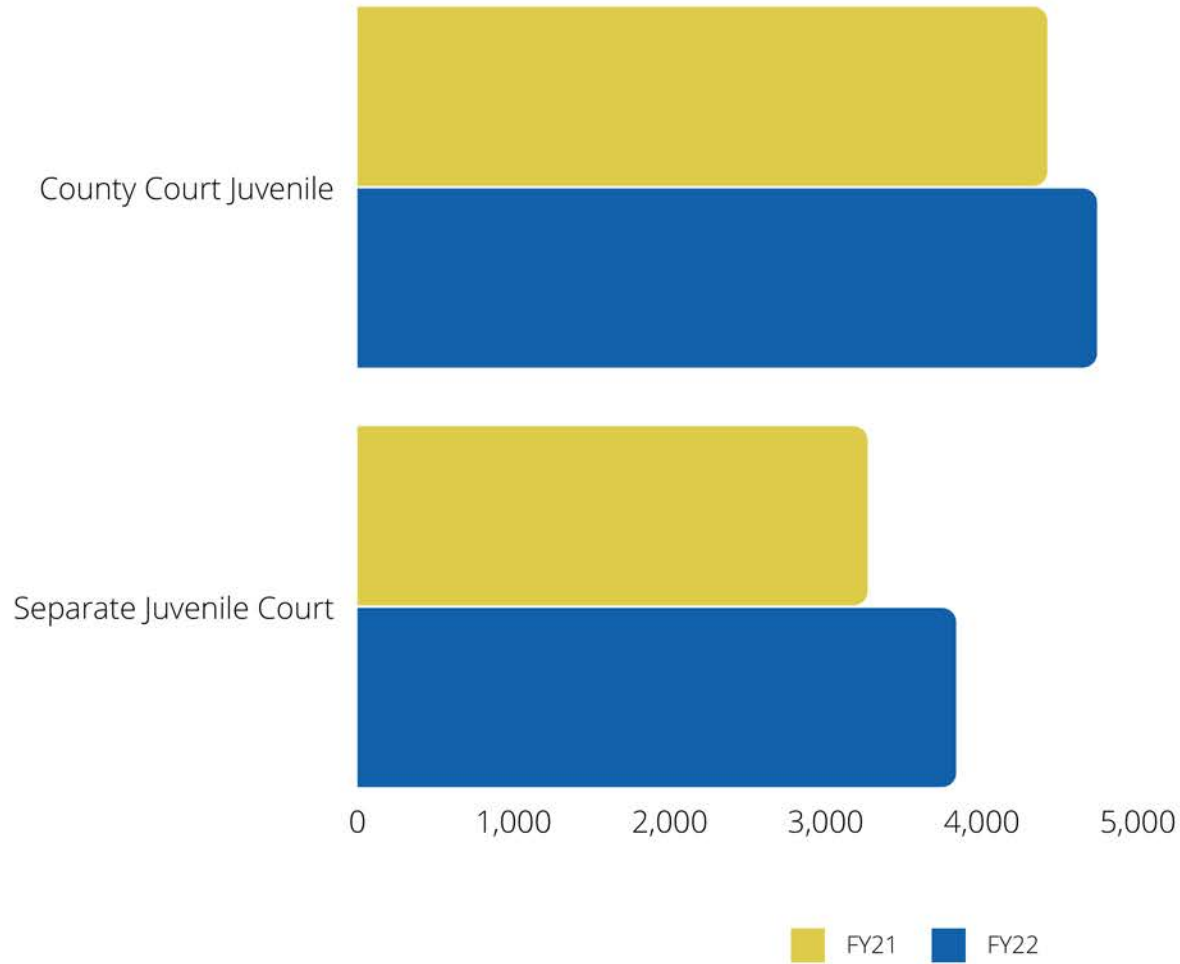
COUNTY COURT CASE FILINGS BY CASE TYPE FY22





Nebraska Court Case Filings

JUVENILE CASE FILINGS BY COURT TYPE FY22

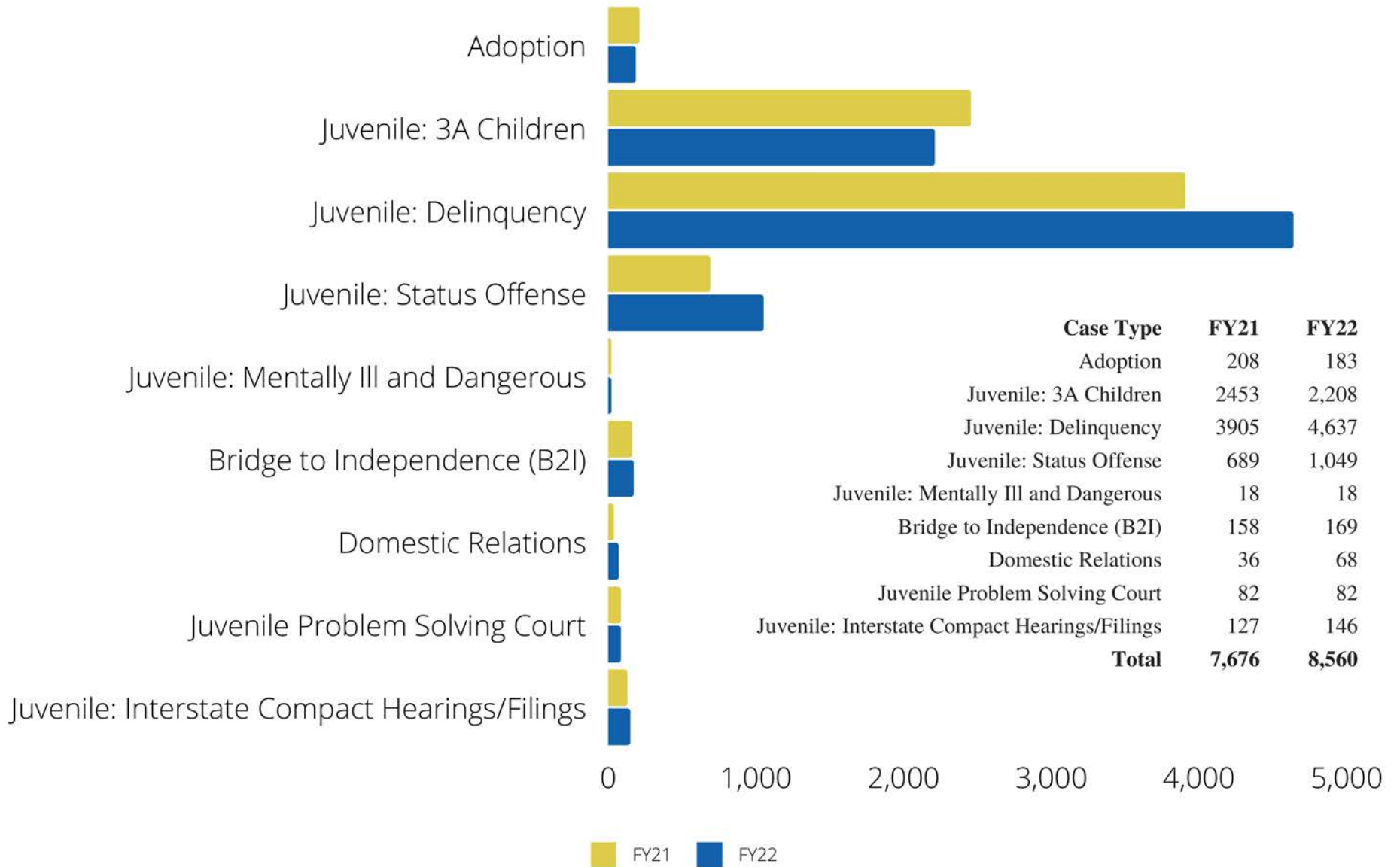


Court Type	FY21	FY22
County Court Juvenile	4,413	4,731
Separate Juvenile Courts	3,263	3,829
Total Juvenile Cases	7,676	8,560



Nebraska Court Case Filings

JUVENILE CASE FILINGS BY CASE TYPE FY22

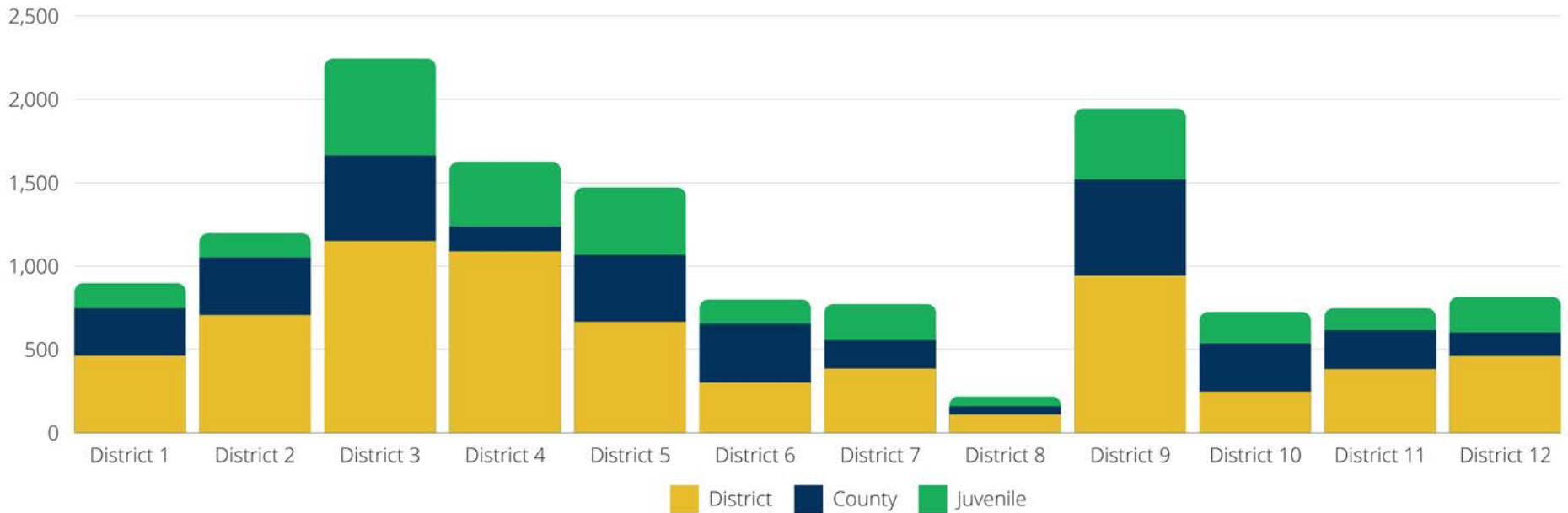




Nebraska Probation Case Statistics

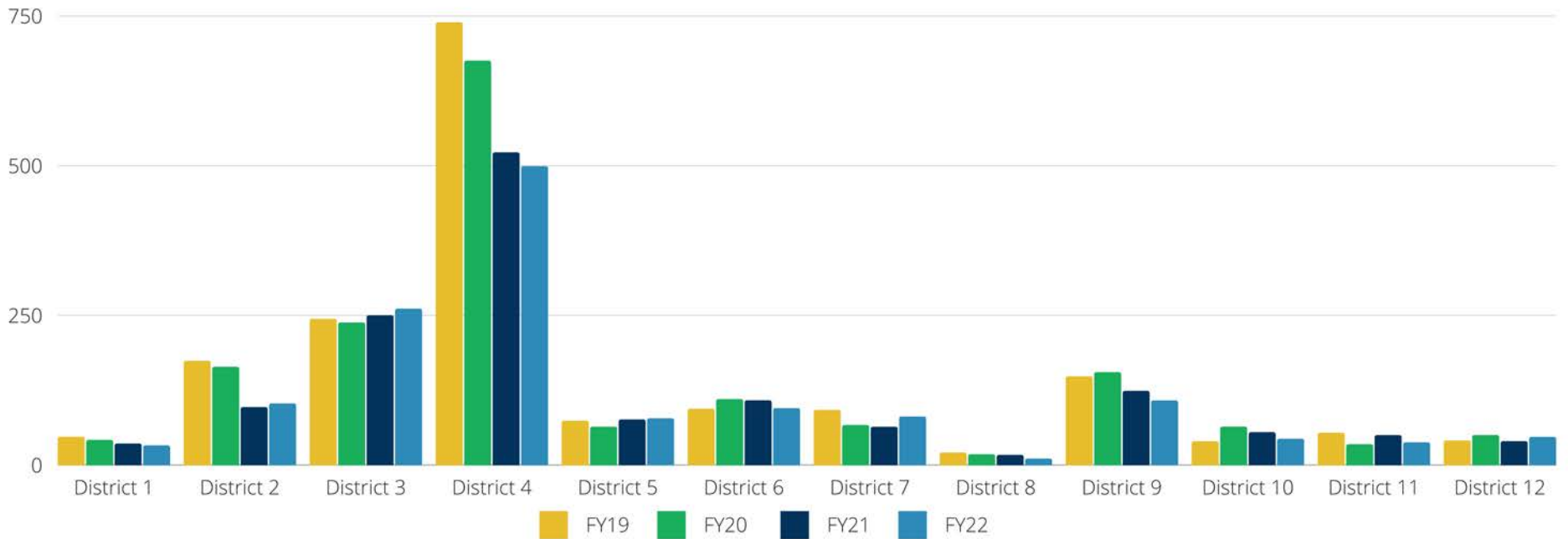
INVESTIGATIONS BY COURT TYPE FY22

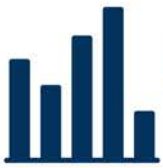
District #	District	County	Juvenile	Total
District 1	460	284	150	894
District 2	704	344	146	1,194
District 3	1,148	513	580	2,241
District 4	1,086	148	389	1,623
District 5	663	401	404	1,468
District 6	299	352	145	796
District 7	383	169	217	769
District 8	107	49	58	214
District 9	940	576	426	1,942
District 10	245	288	189	722
District 11	380	232	132	744
District 12	458	141	214	813
Total	6,873	3,497	3,050	13,420



Nebraska Probation Case Statistics

JUVENILE INTAKES FY22

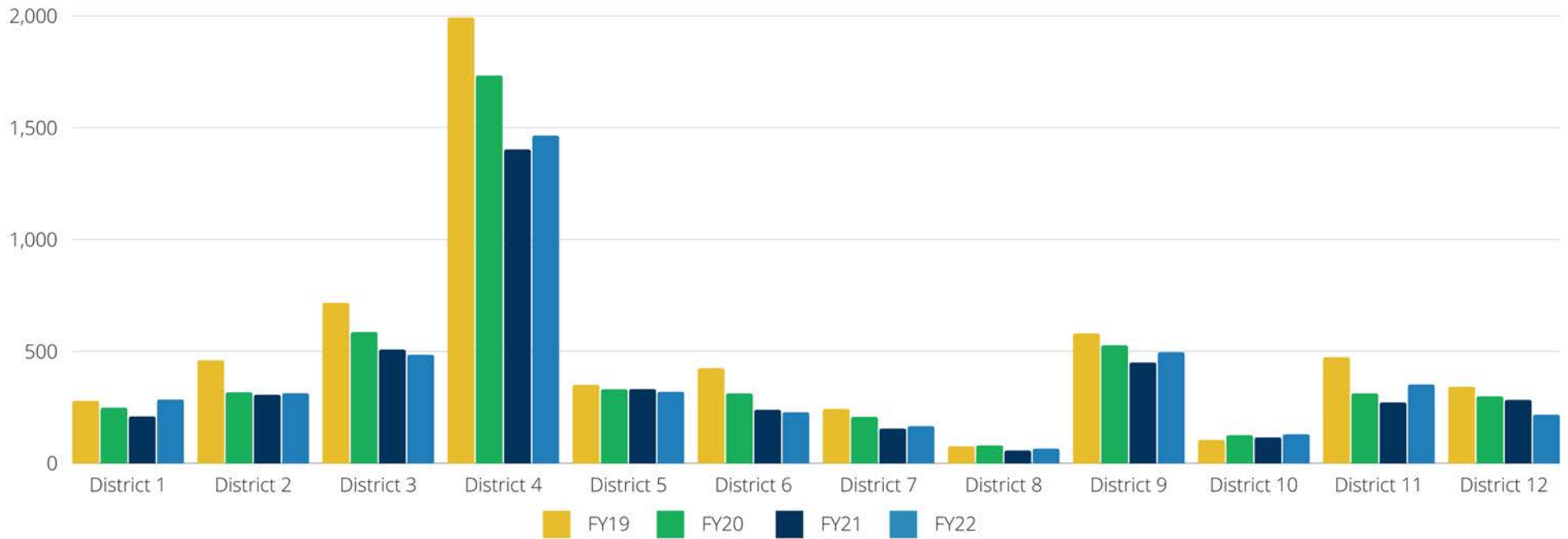




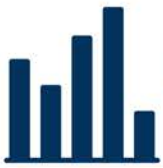
Nebraska Probation Case Statistics

DISPOSITION OF PROBATION FY22

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



The number of District Court cases (4,518) with a disposition of probation or post release supervision increased by 4.4%

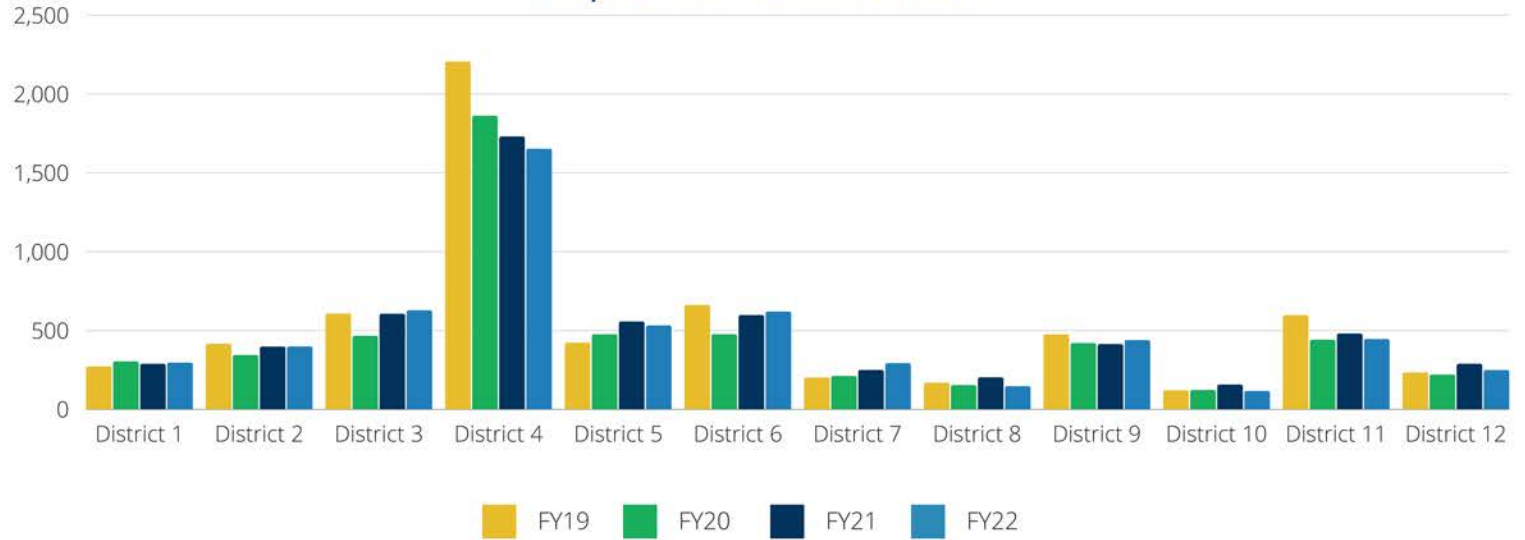


Nebraska Probation Case Statistics

DISPOSITION OF PROBATION FY22

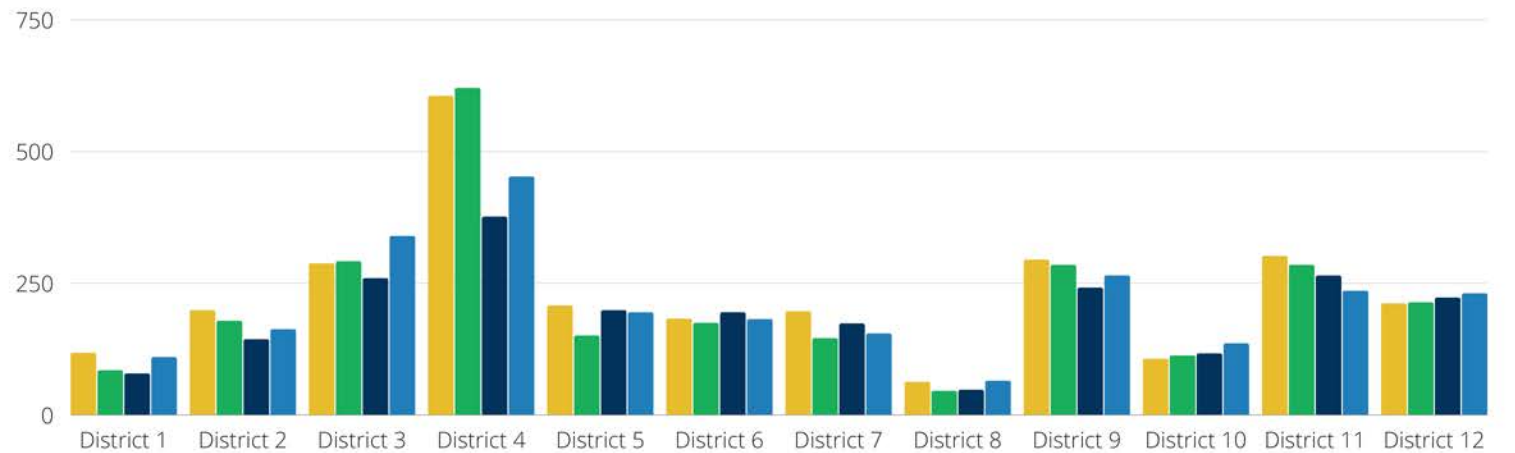
There was a 2.5% decrease in the number of cases (5,795) with a disposition of probation from county courts between FY21 and FY22.

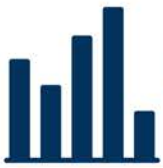
County Court Cases with a Disposition of Probation



There was a 9% increase in the number of cases (2,519 cases) with a disposition of probation from juvenile courts between FY21 and FY22.

Juvenile Court Cases with a Disposition of Probation



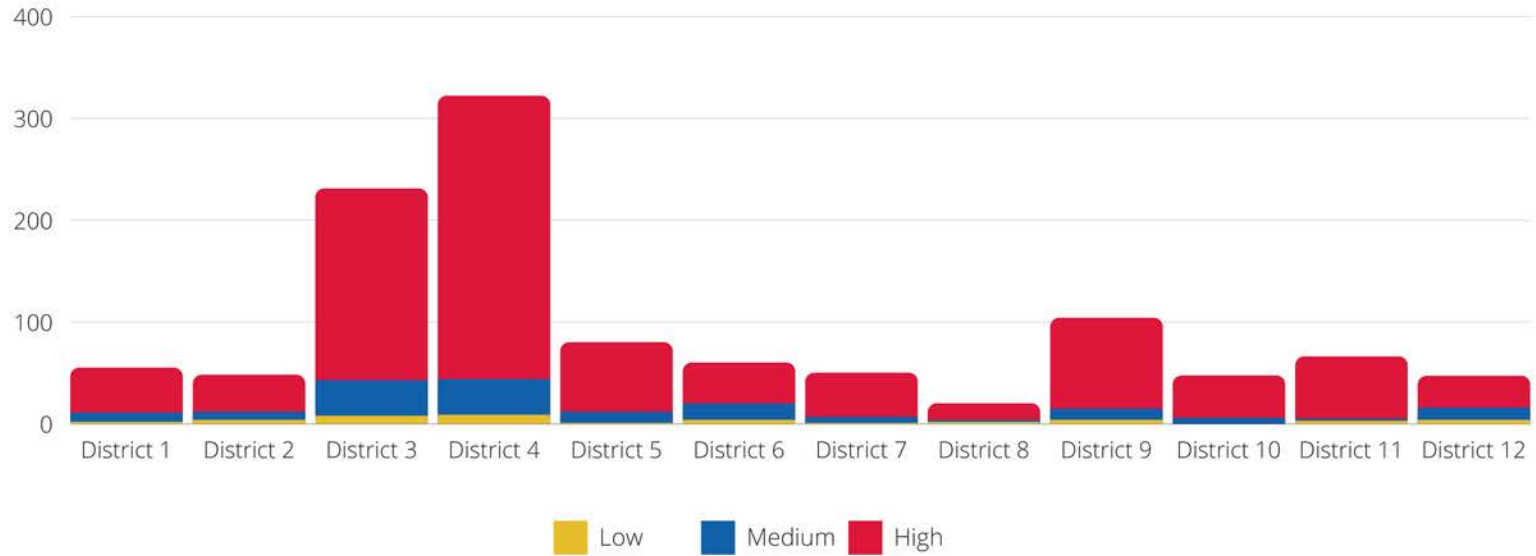


Nebraska Probation Case Statistics

RISK TO REOFFEND FY22

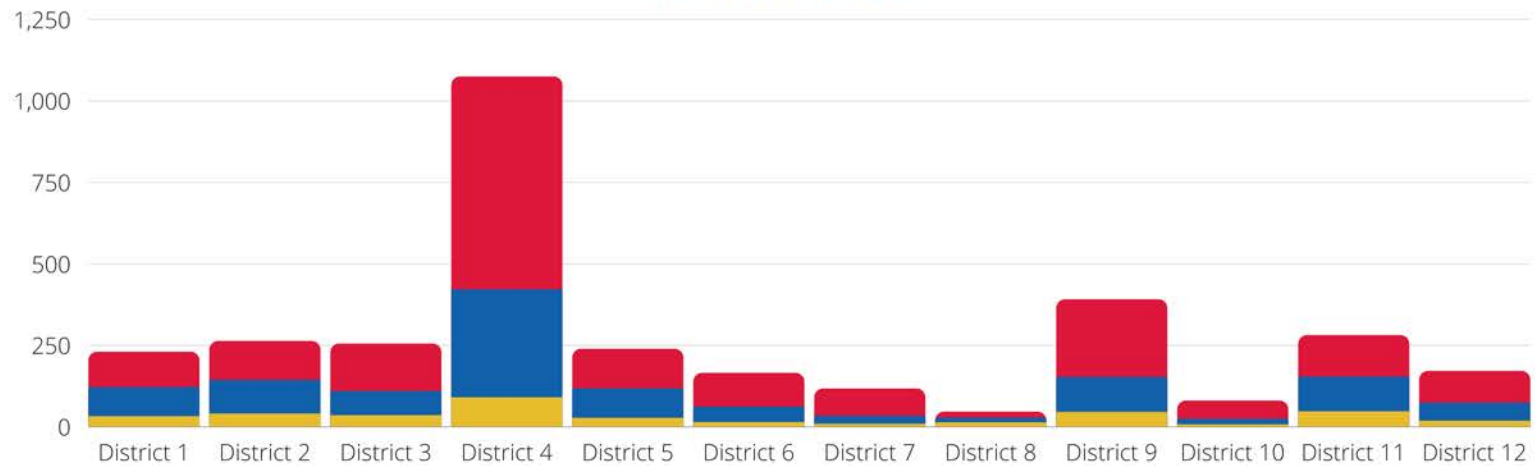
83% of post-release supervision cases were initially assessed at a high, or very high risk to reoffend without proper interventions.

Post-Release Supervision Cases and Risk to Reoffend FY22



57% of district court probation cases are initially assessed at a high, or very high risk to reoffend without proper interventions.

District Court Cases and Risk to Reoffend FY22



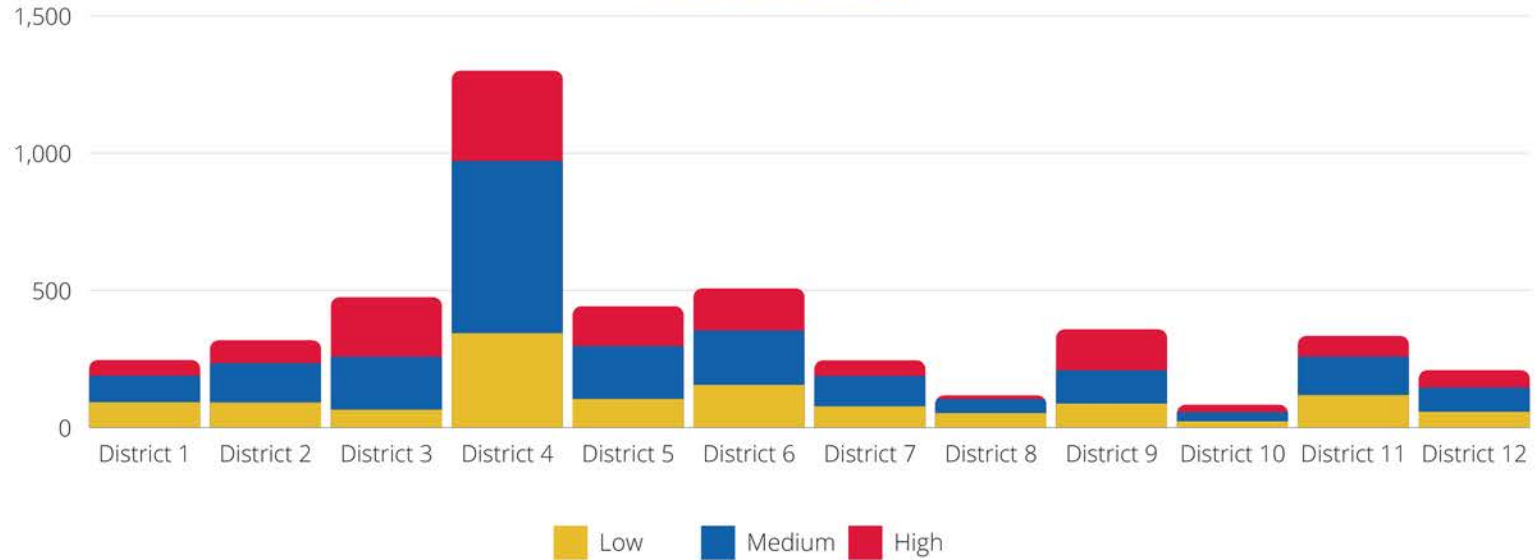


Nebraska Probation Case Statistics

RISK TO REOFFEND FY22

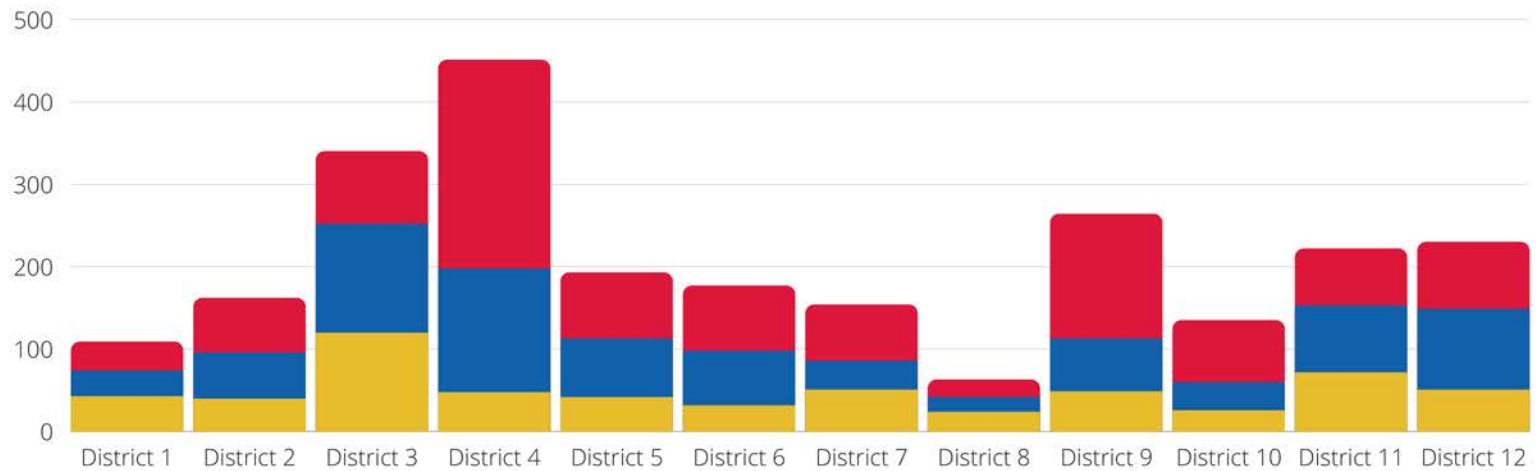
30% of county court probation cases are initially assessed at a high, or very high risk to reoffend without proper interventions.

County Court Cases and Risk to Reoffend FY22



43% of juvenile court probation cases are initially assessed at a high, or very high risk to reoffend without proper interventions.

Juvenile Court Cases and Risk to Reoffend FY22





STATE OF
NEBRASKA
JUDICIAL BRANCH
supremecourt.nebraska.gov