



## Nebraska Judicial Branch Education 2009 Year End Report

**It is essential to the public that judges and judicial branch employees continue their education in order to maintain and increase their professional competence, to fulfill their obligations under the Nebraska Code of Judicial Conduct, and to ensure the delivery of quality judicial and probation services to the people of the State of Nebraska. JBE provides high quality education for judges and staff of the courts and probation throughout the state of Nebraska.**

### History of Judicial Branch Education in Nebraska

**Beginning in 2005 the Supreme Court mandated that all judges obtain 10 credit hours of education each year, and that all court staff, clerks of the district court and probation employees receive at least 8 hours of annual education. Reaching over 1100 people with quality education has become the goal of Judicial Branch Education. JBE is funded with \$1.00 from court filing fees which provides approximately \$390,000 of annual income to fund education for all judges and staff. As detailed in this report utilizing distance learning and seeking out grant funding has enabled us to produce quality education for all judges and staff.**

**Judicial Branch Education: Ensuring the delivery of quality judicial services**

## **Judge's Education**

In 2009 JBE offered more education to the various groups we train than ever before, while incurring no greater expense than in previous years. Judges had 3 live conferences offered to each bench, consisting of the traditional Fall and Summer conferences for both the district and county benches plus the Case Management conference in the Spring. In addition there were several other opportunities in which JBE assisted others in bringing training to the state which allowed our judges to have some choice in education such as the Rural Courts Conference, the Children's Summit and the meth education offered in the Fall. Several on-line opportunities were offered and we conducted our first webinar for District and County Judges. The evaluations from the judges participating in the webinar showed it was well received. We plan to focus on providing more webinar training for judges in 2010.

## **Use of Distance Learning for Training Court Staff and Probation**

The real growth in education opportunities came for the trial court staff. In calculating our year end credit totals we found all clerk magistrates attended at least 10 hours of education and many had over 24 hours of training. We offered a total of 17 hours of distance learning for Clerk Magistrates and court staff. Our Webinar series has proved to be a very low cost method of reaching all of our employees with no travel expense involved. In addition we offered Skillport online courses by partnering with the Department of Roads in purchasing a subscription to the prepackaged courses covering a variety of topics. We offered an on-line course taught by the National Center for State Courts that focused on victims rights. A very good first effort at distance learning.

We have completed the construction of a ten credit hour on-line course for Clerk Magistrates and Clerks of the District Courts. The subject is case management. Clerks are exposed to the current trends in establishing case management systems that efficiently provide for cases to progress through from filing to disposition. The course requires the clerks map the progression of cases through their courts and to analyze where the case can be processed at a faster rate. This allows for the clerks to share ideas on what they consider effective case management while at the same time exposing the clerks to the principles of case management. This class is conducted in cooperation with the University of Nebraska at Omaha which is sharing its on line learning platform and working with JBE on a program that recognizes our training as college credit if the clerk wants to pursue a degree in public administration.

UNO has agreed to host a total of 60 hours of our distance learning on its Blackboard platform—at no cost to the Court. Those sixty hours of education allow us to deliver courses in the most relevant areas of training for court managers and reach all clerk magistrates and clerks of the district court without travel expense. The case management course is complete and we are working on courses in court financing, court technology, human resources management, leadership, and court performance measures.

We are now building courses that will allow 50% of new probation officer training to be conducted on-line. Those courses are expected to be debuted in February 2010. It is our intention to continue to expand the provision of on-line classes for probation training. We will soon be expanding our webinar series to include probation staff.

The face to face interaction judges, probation and court staff receive in live training has a great deal of value that cannot be replicated in distance learning. However by supplementing live training with the webinars and on line courses we are able to minimize travel while at the same time expand education and training, improving the service the courts provide state wide.

### **Grant Funding Assists in Providing Educational Opportunities**

We obtained grant funding to send several of our judges to be trained in subjects so that we could be updated on national trends. Three of our county judges attended fully funded DUI training at the National Judicial College, and they will assist in training all county judges in coming education. One of our county judges attended Commercial Drivers License training on a full grant and will assist in passing the information to other judges. Two judges attended a fully funded program that focused on the Nebraska Crime Victims Bill of Rights. We are working on further grant funding to bring that program to Nebraska for all Judges, bailiffs and clerks. We are exploring a regionalized program for 2010 with this content that will allow us to provide education state wide. The National Judicial College provided financial assistance so that we were able to send several of our new judges to its program on general jurisdiction.

### **Need for Training**

Technology makes all of our jobs more complicated, from e-mail to on-line record keeping. There are on-going updates requiring training. County Judges now use a computerized “docket” program in the courtroom to efficiently render orders. For juvenile jurisdiction, compliance with guidelines in issuing orders provides the state with federal money needed for children’s programs. Given the technical nature of the job done by the court system, we cannot effectively serve the public without extensive training.

In addition to changing technical applications, the job of court staff has changed as the availability of lawyers has diminished. In many areas of the state, citizens are forced to represent themselves to have any access to justice. Both economic restraints and the lack of attorneys have caused the population navigating the court system on their own to balloon in the last five years. Over 50% of the litigants state-wide in County Courts are now self –represented. In District Court 48% of litigants statewide have no attorneys to represent them in pending cases. Citizens without representation rely on the expertise and training of the court staff to effectively pursue the rights guaranteed to them in our system of justice.

## **New Learning Management System**

Through grant funding JBE was able to purchase a computer system that will link to our distance learning programs, track compliance with the mandatory education rules and allow registration for classes. We expect the system to be up and running at the first of 2010. This will make it much easier to access our distance learning classes.

## **Oversight of Mandatory Continuing Legal Education**

In 2008 the Nebraska Supreme Court passed the MCLE rule establishing for the first time the obligation of Nebraska attorneys to continue their education throughout their active practice. Nebraska joins 45 other states in mandating continuing professional education for lawyers. The task of approving vendors of CLE for credit in Nebraska and tracking attorney compliance with the MCLE obligation to earn 10 credits fell to Judicial Branch Education. Through the generous grant support of the Nebraska State Records Board, the Nebraska State Bar Foundation, and Nebraska State Bar Association JBE was able to build a computer program that will allow us to track compliance with the rule with the least amount of staff hours as possible. We received invaluable support from the Iowa MCLE Commission and the Nebraska Workers Compensation Court in building the system.

## **JBE Advisory Board**

Thanks to all serving on the JBE Advisory Board for a very productive year:

Justice John Gerrard, Nebraska Supreme Court

Judge John Irwin, Nebraska Court of Appeals

Janice Walker, Nebraska State Court Administrator

Ellen Brokofsky, Nebraska Probation Administrator

Judge John Colborn, Lancaster County District Court

Judge Alan Brodbeck, Lancaster County Court

Judge Linda Porter, Separate Juvenile Court Lancaster County

Vickie Prince, Clerk of the District Court

Barb Pousson, Judicial Administrator

Kathy Habben, Court Reporter