

FISCAL YEAR 2021

July 1, 2020 - June 30, 2021









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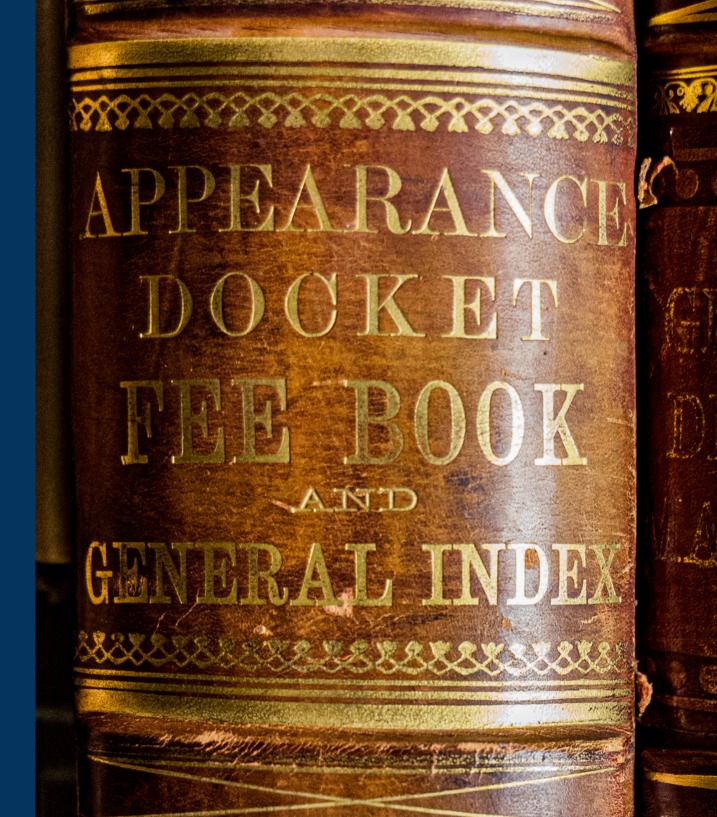
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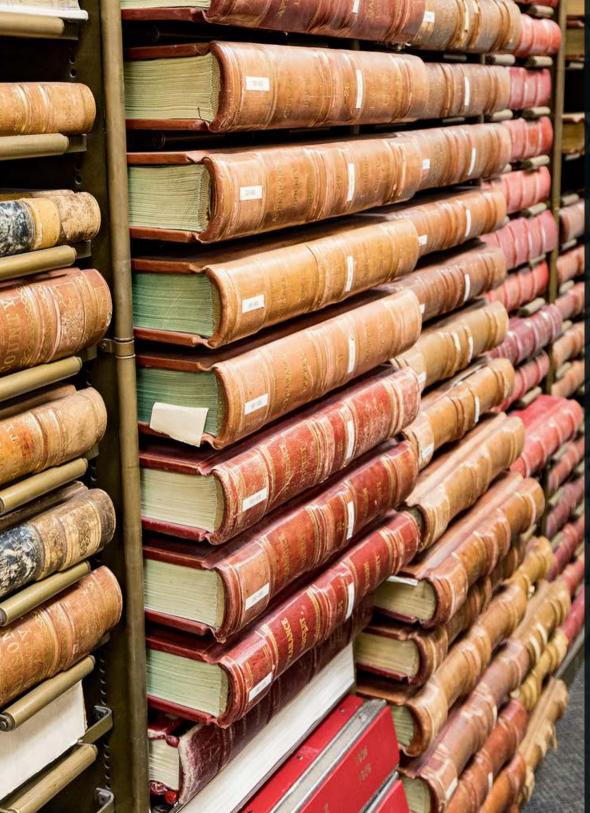
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... and Other Friends of the Judicial Branch

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On behalf of Nebraska's entire Judicial Branch, I am pleased to present this Fiscal Year 2020-2021 Annual Report of the Nebraska Administrative Office of the Courts and Probation.

The Court ended fiscal year 2021 with a welcome in-person visit to southeast Nebraska. Each year the Court spends one week during the summer traveling outside the Lincoln area to meet with judges, court, and probation staff, and to thank our partners in county government for their support. It was good to meet with local leaders who contribute so much to the successful operation of our court system.

It was also good to see members of the Judicial Branch staff who worked throughout the pandemic to keep Nebraska's courts open and productive. The emergency orders, operational alterations, and remote work seemed relentless, but our courts remained unwavering in their dedication to serving the people of the State. Judicial Branch staff and judges throughout the State did everything possible to fulfill the promise of access to justice for all Nebraskans during this trying period. They are our Judicial Branch heroes--our everyday heroes.

This report highlights some of our many projects and innovations from this past fiscal year, along with program and court case statistics. Some innovations came about because of the pandemic, and some innovations were developed despite the pandemic and its social distancing requirements.

Thanks to our Judicial Branch heroes, our partners in county government, and to all of Nebraska's citizens for helping to make our Judicial Branch be its very best.

Chief Justice Michael G. Heavican

October, 2021





JUSTICES OF THE NEBRASKA SUPREME COURT

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

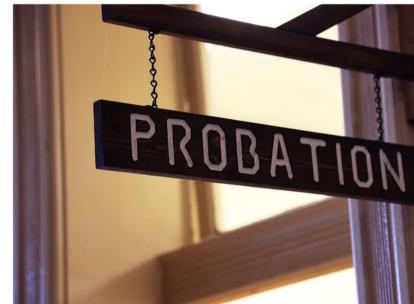
District 6 - Rushville

Judicial Oath: July 6, 2018









(Above) County Commissioners and lawyers gather in the Johnson County Courthouse to greet Supreme Court Justices and Judicial Branch staff attending the 2021 Summer Tour.

(Right) Judges in Sarpy County take justices and administrative staff on an insiders tour of Sarpy County courtrooms while discussing COVID adaptations.





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, FY2021

County Court	District:	Oath:		
Edward H. Matney	Judicial District 6	01/07/2021		
Lynelle D. Homolka	Judicial District 5	03/19/2021		
Jeffrey A. Gaertig	Judicial District 1	05/03/2021		
District Court				
Ryan S. Post	Judicial District 3	03/01/2021		
Tressa M. Alioth	Judicial District 4	04/30/2021		
Todd O. Engleman	Judicial District 4	05/07/2021		
Separate Juvenile Court				
Candice J. Novak	Judicial District 4	12/03/2020		
Shellie D. Sabata	Judicial District 3	12/23/2020		

Judicial Associations

Each level of the trial court system has an association providing leadership for its judges. Presidents of the associations for the 2020-21 fiscal year:

- District Court Judges' Association: Judge John Samson, Washington Co.
- County Court Judges' Association: Judge Ross Stoffer, Madison Co.
- Separate Juvenile Judges' Association: Judge Vernon Daniels, Douglas Co.





JUDICIAL EXCELLENCE

Judge Geoffrey Hall of the district court in Dodge County and Judge Kale Burdick of the county court in Holt County were named recipients of the 2020 Chief Justice's Distinguished Judge awards.

Hall (top photo) was named the Improvement of the Judicial System Award recipient, and Burdick (photo below) was given the Improvement of Community Relations Award.

The awards recognize members of the judiciary for meritorious projects and exemplary accomplishments beyond their day-to-day duties as a judge. The title of Distinguished Judge is the highest honor given to judges by the Nebraska Supreme Court.



New ports are added to the Supreme Court floor allowing easy access to electricity and data beneath the bailiff's desk.

Ductwork is replaced in the State Library as part of the renovation.



SUPREME COURT MOVES AMID SOCIAL DISTANCING

During the height of social distancing, Supreme Court justices, along with the court clerk and related offices, managed a complete office transfer within the State Capitol. The move was required by the Nebraska Capitol Commission to accommodate installation of the new heating, ventilation, and air conditioning (HVAC) system.

All court services were maintained throughout the move and pandemic, although arguments were often held via web and teleconferencing rather than in-person.





Below: Hall County District Court Clerk Jennifer Poppen, appointed to her position nearly one year into the pandemic, discusses issues with an auditor inside the clerk's office. Behind Poppen, her Chief Deputy hands out parenting act information to a court client.

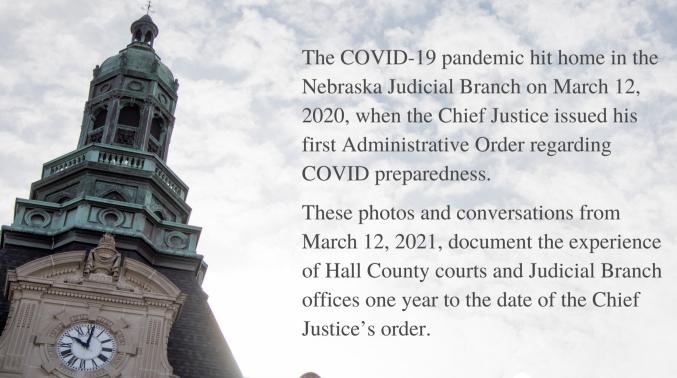


"Our entire office misses the assistance of our local Help Desk volunteers. Support of self-represented litigants by our legal community has been an invaluable service and is greatly missed."

Jennifer Poppen

YEAR ONE OF COVID:

An Inside View of Courts and Court Services from Hall County









ADMINISTRATIVE OFFICE OF THE COURTS & PROBATION

Corey R. SteelState Court Administrator

Deborah A. Minardi State Probation Administrator

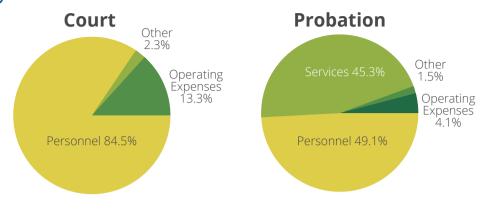


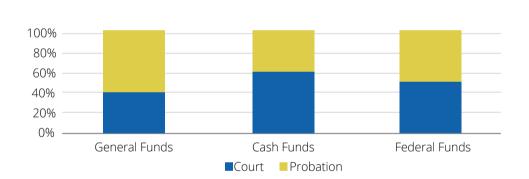
Fiscal Year Highlights:

- **18** Court Services
- 25 Office of Public Guardian
- **27** Attorney Services
- **28** Court Improvement Project
- **30** Problem-Solving Courts
- **31** Programs & Field Services
- **32** Juvenile Services
- **33** Information Technology
- **35** Operations

Total Expenditures by Major Account Category FY21

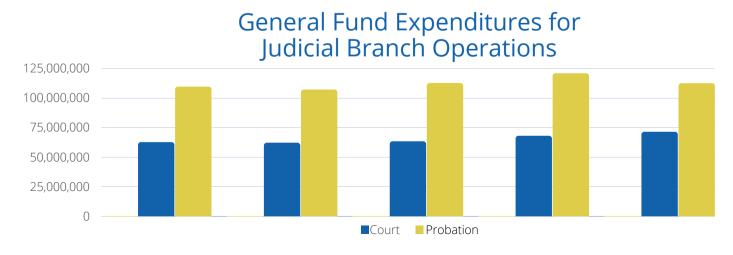
	Court	Probation	Total
Personnel	66,381,482	57,470,417	123,851,899
Operating Expenses	10,428,019	4,756,529	15,184,548
Services	-	52,928,724	52,928,724
Travel	426,186	714,606	1,140,792
Equipment	78,820	1,061,261	1,140,081
Grant-in-Aid	1,270,000	-	1,270,000
Total	78,584,507	116,931,537	195,516,044





Total Expenditures by Fund Source FY21

	Court	Probation	Total
General Funds	71,345,984	112,336,029	183,682,013
Cash Funds	6,630,122	4,018,530	10,648,652
Federal Funds	608,401	576,978	1,185,379
Total	78,584,507	116,931,537	195,516,044



COURT SERVICES

Amy Prenda, Deputy Administrator

The **Court Services Division** provides administrative support to the 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 training court staff and interpreters; developing and maintaining court forms and procedure manuals; providing support to the statewide child support referees; and providing support for special interest issues like access to justice, selfrepresented litigants, and mediation.

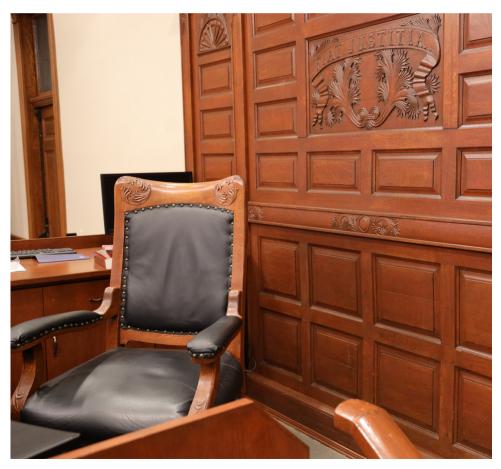
The Court Services Division also serves as a liaison to trial court-related associations and committees.

COURT SERVICES DIVISION

Office of Dispute Resolution

Trial Court Services

Language Access Access to Justice



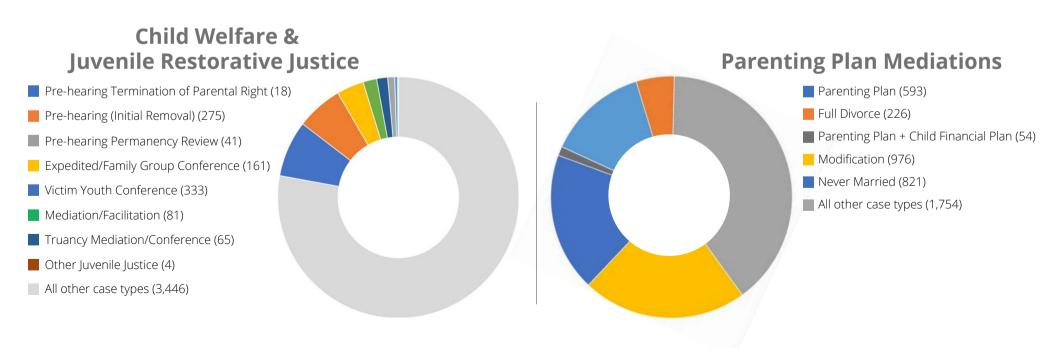
Court Services OFFICE OF DISPUTE RESOLUTION

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

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

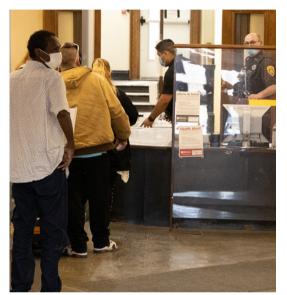


(628), Child Welfare (535), Juvenile Restorative Justice (443), Adult Criminal (21), Undefined (10)



Court Services TRIAL COURT SERVICES

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 court services resources to the public.



Under the direction of the Nebraska Supreme Court, Trial Court Services assists courts in implementing consistent, efficient and effective court practices. It also serves as a resource for court users dealing with sometimes challenging legal issues like divorce, child custody, the need for a protection order, or dealing with an eviction. This year, the COVID-19 pandemic significantly complicated court users' legal challenges and them accessing the courts. The judges and court staff quickly adapted and modified court operations in order to keep the courts open, which meant Trial Court Services also had to immediately focus efforts on providing resources and solutions to support the trial courts in implementing modified court operations. Although COVID-19 continues to be a factor, Trial Court Services is now focused on being more deliberative about how the public accesses the courts, revisiting what was done, determining what modifications worked and what did not, helping trial courts remain adaptable, and developing resources to assist trial courts in implementing sustainable plans to ensure the courts remain open during a disaster or emergency.



Trial Court Services Director for District Courts

To expand the support Trial Court Services can provide to the district courts, the Nebraska Supreme Court created the position of Trial Court Services Director for District Courts. This position supports and assists the district court judges, clerks of the district court and court users. Recognizing the specific needs of the district courts, this position is better able to identify their needs and collaboratively work with the district court judges and clerks of the district court in developing resources and education to support them.

Valorie Bendixen, Trial Court Services Director for District Courts, discusses court operations with Pierce County Clerk of the District Court Vickie Prince.



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.



The Supreme Court appointed the Director of Language Access as a permanent member of the Access to Justice Commission in January 2021, ensuring that the critical issue of language access remains a central focus of the Judicial Branch.

Flags below represent 33% of spoken languages interpreted in the past fiscal year.





American Sign Language and Mexican Sign Language interpreters enabled deaf or hard of hearing court users to tell their own stories in their own words.



Due to the COVID-19 pandemic, interpreters often appeared remotely via video or telephone; ensuring LEP individuals as well as those who are deaf or hard of hearing have equal access to participate in trial courts and probation services.



The **Access to Justice Commission** aims to bring stakeholders together to provide vision, coordination, and support for projects and ideas. This Commission's effort ensures that every court user in Nebraska has equal access to swift, fair justice regardless of location, income, race, ethnicity, gender, disability, age, or language.

The Commission currently coordinates the activities of the following:



Self-Represented Litigation Committee

Focuses on improving the information and resources available to self-represented litigants to assure meaningful access to the courts and efficient resolution of disputes.



Committee on Equity and Fairness

Evaluates issues of equity and fairness within the courts for every individual.



Consortium of Tribal, State, and Federal Courts

Provides an opportunity for tribal, state, and federal courts to work on specific problems together, building trust across the court systems.



Civil Justice Reform Work Group

Evaluates the civil legal process, including efficiencies, cost, and convenience, to ensure all parties can achieve justice in civil cases.

Nebraska Supreme Court Access to Justice Commission

ROBERT M. SPIRE PUBLIC SERVICE AWARD

On April 30, 2021, the Omaha Bar Association (OBA) awarded the Nebraska Supreme Court Access to Justice Commission with their Robert M. Spire Public Service Award.

In announcing the award, the OBA recognized that members of the Commission and its related committees dedicated "hundreds (if not thousands) of hours of volunteer work" to improving equal access to swift, fair justice for all Nebraskans regardless of income, race, ethnicity, gender, disability, age, or language. Pictured with the award are Access to Justice Commission Co-chairs Justice Stephanie Stacy and Nebraska State Bar Association Executive Director Dr. Liz Neeley.

The OBA's Robert M. Spire Public Service Award is named after Bob Spire, an attorney who dedicated his career to public service and was instrumental in protecting and promoting the administration of and access to justice. The award recognized the work of the Access to Justice Commission as well as the work of the Commission's standing committees: Self-Represented Litigation Committee; Committee on Equity and Fairness; Consortium of Tribal, State, and Federal Courts; and the former Language Access Committee.



TENANT ASSISTANCE PROJECT

The focus of the Tenant Assistance Project (TAP) is to provide advocacy and resources to families facing eviction. Although TAP was initially launched to provide direct legal representation to those sued for eviction during the height of the pandemic, it has since expanded to include educational, outreach, fair housing, homelessness prevention and rental assistance components as well.

TAP launched in Lancaster County in April 2020 and Douglas County in August 2021. Prior to the launch of TAP, approximately 90% of all eviction filings resulted in an order immediately terminating the tenancy, often resulting in the family being forcibly removed from their home. Since TAP launched, that number has dropped to 2%. In the remaining 98% of the cases, TAP attorney volunteers work with the landlord's legal counsel to arrive at collaborative and mutually beneficial outcomes—whether that means additional time to peacefully vacate and avoid homelessness, or a payment plan allowing the family to stay housed. In a growing majority of cases, TAP attorneys, volunteers, and other community partners have become the primary conduit to connect rental assistance to landlords, resulting in the case being dismissed. This did not happen before TAP.

100% of tenants who have appeared for their hearing, sought assistance and qualified for help received legal services - over 700 in Lancaster County, and over 150 in Douglas County.

Over \$5M of rental assistance paid to landlords as a direct result of TAP in Lancaster County.

Over 98% success rate in helping families avoid immediate eviction. The majority of cases result in an agreement for more time to pay or vacate.

More than 150 volunteers are involved so far, including lawyers, law students, undergrad students and community volunteers.

Partners: University of Nebraska College of Law, NSBA Volunteer Lawyers Project, Lincoln Commission on Human Rights, Legal Aid of Nebraska, Creighton University School of Law, Concord Mediation Center, Omaha Human Rights and Relations Office, Collective Impact Lincoln, Metropolitan Area Continuum of Care for the Homeless, and many others.

Funders: Sherwood Foundation, Lozier Foundation, John and Dianne Scott, City of Omaha, Douglas County, Lincoln Community Foundation, University of Nebraska – Lincoln, Nebraska Commission on Public Advocacy.

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

*In FY21, District Court had 56 judges, which increased to 57 judgeships as of 7.1.2021

NEBRASKA

STRUCTURE

COURT

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, and support for volunteer and family guardians and conservators, and recruits individuals to serve as guardians and conservators for Nebraska's vulnerable individuals.

The work of the OPG is guided by the Advisory Council on Public Guardianship. 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 <u>790</u> times as of 6.30.21, serving as guardian and/or conservator in <u>457</u> of those cases.





ATTORNEY SERVICES

Carol 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 annual mandatory continuing legal education requirements, 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 motioning in after obtaining a license to practice in another state or through the bar exam process.

7,032
Active attorneys
3,110
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 multidisciplinary, 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.





Taking necessary precautions as a result of COVID-19 meant logistical changes to the 2020 Court Improvement Project Annual Conference, including remote attendance.

Participants learned to identify underlying issues relating to trauma and adolescent development, meeting youth where they are, and building positive relationships.





In commemorating the significant contributions that the **Juvenile Detention Alternatives Initiative (JDAI)** has made in Nebraska, Chief Justice Michael Heavican signed a Judicial Branch proclamation naming the weeks of June 21 and June 28, 2021, as recognition for JDAI's 10th Anniversary in Nebraska.



GOALS OF JDAI:

- Decrease the number of youth unnecessarily or inappropriately detained;
- Reduce the number of youth who fail to appear in court or re-offend pending adjudication;
- Redirect public funds towards effective juvenile justice processes and public safety strategies;
- Reduce the disproportionate minority confinement and contact of the juvenile justice system; and
- Improve the juvenile justice system overall.

Problem-Solving Courts

Mental Health Court Pilot Project

Mental health courts are one tool currently being explored in Nebraska to help address the growing number of justice-involved individuals living with mental illness. On August 6, 2020, LB1008 was signed into law, providing appropriations to establish Nebraska's first Mental Health Court. The implementation of Nebraska's first Mental Health Court allows for integrating or reintegrating the participants with existing mental health programs and services within their community.

The Sarpy County Wellness Court is designed to stabilize, assist, and reduce the risk of future offenses for persons with mental illness who have become involved in the Criminal Justice System by providing supervision, treatment, and community resources. The Sarpy County Wellness Court entered its first participant into the program in February 2021.

District Court Judge Stefanie Martinez addresses members of the Supreme Court and other stakeholders regarding the Sarpy County Wellness Court.

Across all 12 judicial districts, Nebraska **Problem-Solving Courts** serve 1,400 participants annually and consists of 32 problem-solving courts. Court types include:

- Adult Drug and DUI Courts
- Family Treatment Courts
- Juvenile Drug Treatment Courts
- Reentry Courts
- Veterans Treatment Courts
- Young Adult Court

Although mental health courts alone cannot solve all of Nebraska's behavioral health needs, they can be a valuable part of the solution.



PROGRAMS & FIELD SERVICES

Robert Denton, Deputy Administrator

The Division of Community
Based Programs and Field
Services oversees the
development, training, and
implementation of all statutory
requirements for adult
investigations and supervision in
addition to evidence-based
programming for adults.

Rehabilitative and supportive services, provided to individuals under community supervision, create opportunities for constructive change and ultimately enhance community safety.

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

22,368 adults supervised on probation.

Including 2,657 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.

17%

Nebraska Probation's community-based supervision continues to effectively reduce adult recidivism. Currently, the recidivism rate is down to 17% from 25% in 2010.



320,000+ drug testsAdministered in FY 2021, supporting sobriety and enhancing community safety.

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

Incarceration costs **\$41,000** per person per year. Probation supervision costs nearly **\$2,000** per person per year. Intense supervision costs approximately **\$3,500** per person per year.



Adult probation and post-release supervision emphasize addressing mental-health and substance use disorders. In FY 2021

4,548 individuals received financial assistance.

JUVENILE SERVICES

Jeanne Brandner, Deputy Administrator

The Juvenile Services Division is responsible for statewide administration of juvenile intake, investigations, supervision, and services for youth and families impacting community safety, habilitation, and behavior change. An individualized, adolescent development approach is a priority for juvenile justice youth, which is supported by research and shown to reduce criminogenic risk.

The goal of the Juvenile Justice Reform Initiative in Nebraska is to prevent juveniles from returning to the juvenile justice system or entering the criminal justice system. The Juvenile Services Division recently enhanced the juvenile reentry structure to utilize a comprehensive "reentry unit" to support youth committed to the Youth Rehabilitation and Treatment Centers (YRTC) in addition to those ordered to state-run psychiatric residential treatment programs or facilities. This enhanced unit employs a hybrid approach, in which the field coordinator and four special populations officers, assigned to specific facilities, report to the Juvenile Services Division.

This additional support is designed to complement services provided by the Department of Health and Human Services. The enhanced staffing structure aims to:



Provide intensive case staffing support and training to the assigned youth's team regarding identification and level of community-based treatment and non-treatment services.



Strengthen ongoing support and engagement with youth committed to the YRTC and other state facilities.



Shorten the length of stay for youth through the active development of stronger transition planning.



Promote and increase engagement with discharged youth and improve follow-through of the reentry plan upon return to the community.



Act as a liaison between YRTC personnel and probation officers and supervisors in the home district, bridging all communication gaps

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 falls under the purview of the Division.

Technology teams work to continually provide better online services (such as those below) to help the Judicial Branch run more 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



7.5 million court case views online

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



\$26,000,000 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 Supreme Court 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.

Remaining Open to the Public Throughout a Pandemic

Court adopts Pilot Program for Livestreaming Trial Court Proceedings



"The direct benefit is we maintain public access to court proceedings. We are, as a branch of government, trying to strictly follow the rules that have been promulgated to help avoid the spread of the Covid-19 virus. At the same time we have to maintain open courts. The public will be able to see proceedings even though they are not able to be in the courtroom."

District Court Judge James Doyle August 2020 radio interview As the first court to make use of the 'Interim Rules on Livestreaming Proceedings in Nebraska Trial Courts,' Dawson County District Court staff and District Court Judge James Doyle educated themselves on livestreaming to the internet using YouTube. The rule, adopted July 1, 2020, allow approved Nebraska trial courts to use Supreme Court-authorized video technology to livestream court proceedings when the public would otherwise have the right to attend in person.

Neb. Ct. R. § 6-2101: "It is the intent of the Nebraska Judicial Branch that court proceedings shall be open to the public unless otherwise required by law. When the public is prohibited or otherwise limited from attending court proceedings at the courthouse by reasons outside of the public's control, use of livestreaming technology is an appropriate method to allow public access to court proceedings."



OPERATIONS

Gene Cotter, Deputy Administrator

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

- All elements of human resources
- Mandated, as well as careerdeveloping, training and judicial education
- Internal and external communications
- Interstate transfers of probationers
- Data collection, analysis and reporting
- Probation performance management

OPERATIONS DIVISION Public Web Design & Human **Information Communications** Resources & Educational Outreach **Judicial Interstate** Research **Branch Compact** & Data **Education**





The **Office of Human Resources** provides services to Judicial Branch staff and applicants, including all trial courts and probation offices funded through the Judicial Branch budget. The office is responsible for payroll, recruitment, position classification, compensation, employee relations, and 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 effectively address allegations of misconduct.

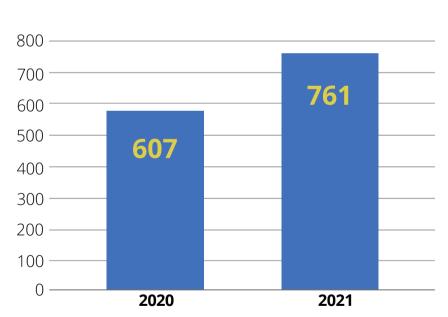




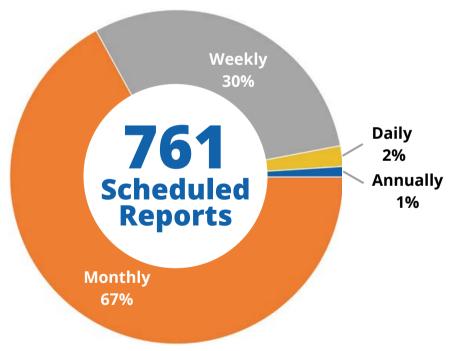
The **Office of Interstate Compact** is responsible for assisting with the facilitation of the transfer of supervision for both adult and juvenile probationers to the state where he/she resides, as well as facilitating the safe return of any juvenile who runs (absconds) to another state. Furthermore, 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 the review of all inter-district transfer and shared supervision cases to ensure adherence to protocol and to assist with the seamless transition of supervision within the State of Nebraska.



The **Research and Data team**, within the Administrative Office of the Courts and Probation - Operations Division, has undergone substantial growth and development in the last year. The Research and Data Division is now led by the Director of Research and Data. The Research and Data Division 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 a **25% increase** in the number of automated reports developed and completed.



Over 2,500 reports are generated. Of those, 761 reports are set up for automatic distribution to staff on a daily, weekly, monthly, or quarterly basis.

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.



Judges, Branch employees, district court clerks, retired judges, and related legal organizations receive the monthly Judicial Branch newsletter via email.

Keeping employees and judges up-to-date on recent news and projects, the Communications team produces a Judicial Branch employee newsletter that links to news stories and podcasts in addition to promoting administrative news and employee interest items.



Nebraska Judicial Branch Honoring the extraordinary efforts of Judicial Branch employees across Nebraska, Communications was charged with designing and implementing a recognition program raising the awareness of the work of court and probation employees.

supremecourt.ne.gov/heroes



Media credentials are reissued in twoyear intervals under rule amendments passed in March 2021. Re-credentialing began in late March and included a new process requiring all reporters to review rules and court protocols. Credentials are issued to journalists who write for newspapers or magazines with a regular frequency of publication or who prepare news to be broadcast on a Federal Communications Commission licensed radio or television.

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 marketing activities of the Branch.





Nebraska Judicial Branch Launches its First Podcast

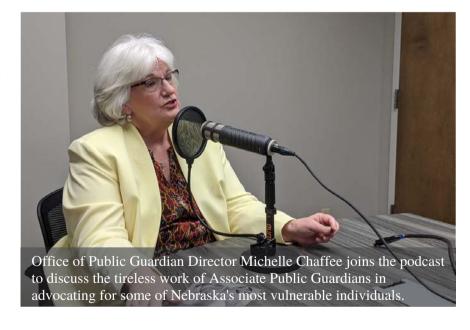
SCAN TO LISTEN NOW

The Nebraska Judicial Branch created a new, ongoing podcast: *Your Nebraska Judicial Branch*. The impactful and diverse work of the Branch is highlighted through interviews with employees and those coming into contact with trial courts and probation statewide.

The podcast dives into the depth and breadth of services and programs provided by the Judicial Branch, such as:

- Interviews with Chief Justice Heavican, and other Judicial Branch leadership
- Probation success stories and system overviews
- Mediation
- Language Access
- Office of Public Guardian
- and many more.

Your Nebraska Judicial Branch is available to listen and subscribe to on major podcast platforms, or at www.nejudicial.buzzsprout.com

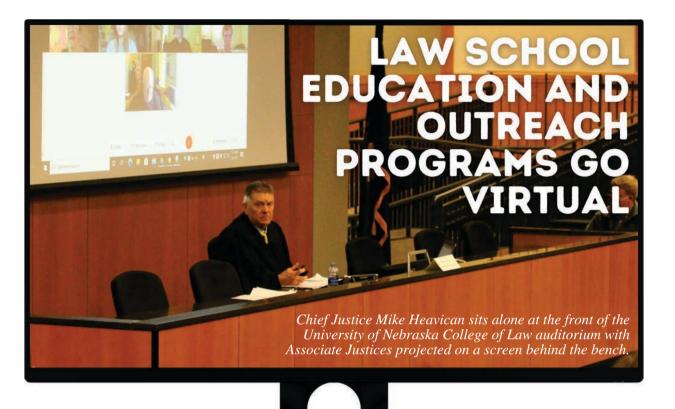


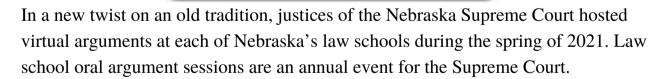


NEJudicial



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Since 1980, the Supreme Court has traveled to the University of Nebraska College of Law and Creighton School of Law campuses to demonstrate the delivery and process of oral arguments. One of the highlights of each visit is the student question and answer session following arguments. Undeterred by the pandemic, justices modified their virtual visits to include both individual and online Q & A sessions at each school.



UNL Law School student attending in-person arguments asks a question of the Court. Chief Justice Heavican called upon fellow justices to participate in the discussion of questions.



Nebraska Supreme Court's newest justice, John Freudenberg, joins the Creighton Law School Zoom Q&A session from his temporary office in the tower of the State Capitol.



COURT OF APPEALS CONSTITUTION DAY LESSON PLANS ADAPTED FOR DISTANCE LEARNING

Constitution Day is observed each year on September 17 to commemorate the signing of the Constitution on September 17, 1787.

For the past several years, the Court of Appeals has used their College Campus Initiative as a vehicle to celebrate Constitution Day. This initiative's focus is on high school and college students. In 2020 it took on a new look for the students of Doane University's 'Law, Politics and Society' class. Students watched the televised September augments presided over by Court of Appeals Judges Frankie Moore and Francie Riedmann, then gathered via Zoom to discuss the proceedings with the judges.



"I Took My Frog to the Library," read by Court of Appeals Judge Francie Riedmann became a unique civics education tool in celebration of Constitution Day 2020. The storybook video was the first Court of Appeals educational outreach project designed to reach younger students. With the addition of the book reading, the Court of Appeals organized Constitution Day resources for every students of every level.

Nebraska Supreme Court Names

Judge Michael Pirtle as Chief Judge
for the Court of Appeals

Judge Michael Pirtle, Douglas County, was appointed Chief Judge of the Court of Appeals beginning September 13, 2020. He replaces Judge Frankie Moore who served the Court as Chief Judge from 2014 to 2020.

"I greatly appreciate the opportunity to serve as Chief Judge of the Court of Appeals and the trust that my colleagues have placed in me. I will do my best to continue promoting our court's goals of resolving appeals both fairly and in a timely fashion, providing guidance for the future, and being efficient with our citizens' resources."





Judicial Branch Education (JBE) provides essential continuing education with the goal of maintaining and increasing 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 inperson and distance learning events. The Office also assists outside stakeholders in meeting mandatory requirements to fulfill their roles as part of Nebraska's judicial system



35,559

Courses completed by JBE users in FY21



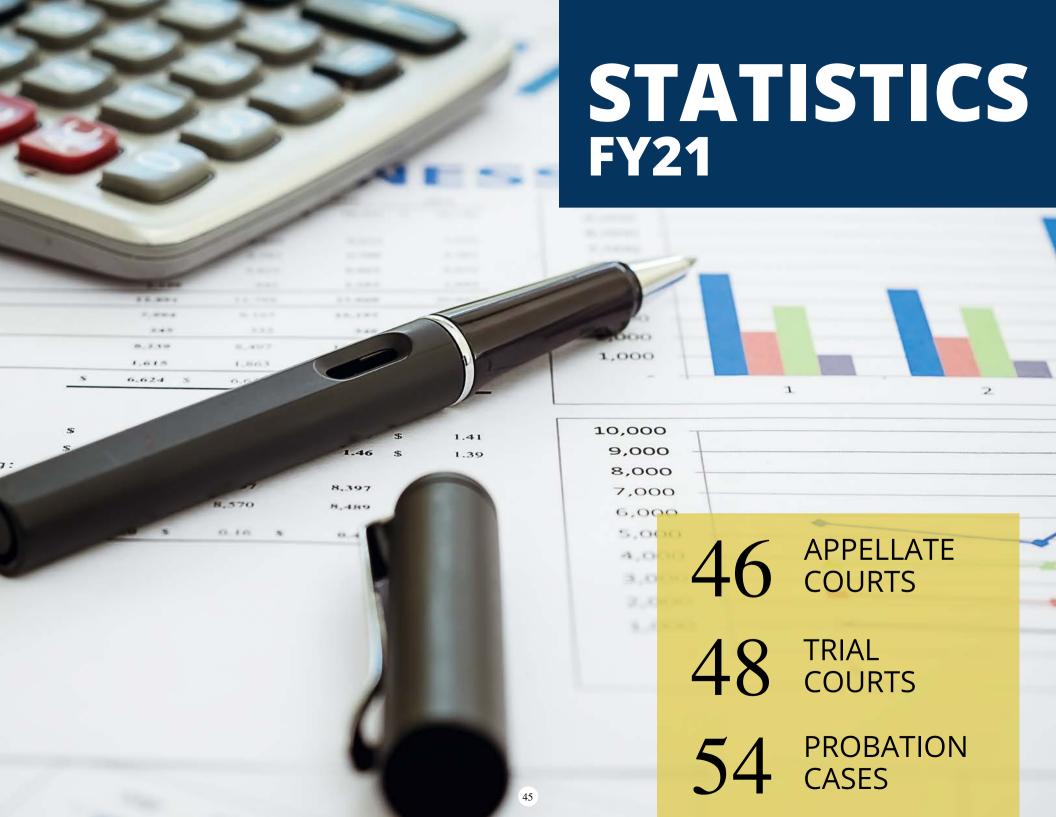
An INCREASE of:

13%
over FY20



Court and probation trainers attended Nonviolent Crisis Intervention "Train the Trainer" sessions in Lincoln in December of 2020. This nonviolent crisis intervention training focuses on verbal de-escalation strategies and is designed for primary caregivers, educators, service professionals, and probation officers and police officers who directly intervene in crises. All probation staff and trial court staff management will be trained in verbal de-escalation at trainings across the state. The curriculum will be incorporated into New Court and Probation Staff Employee Orientation, and regional offerings of this much requested training for non-management trial court staff will offered for those who wish to attend.



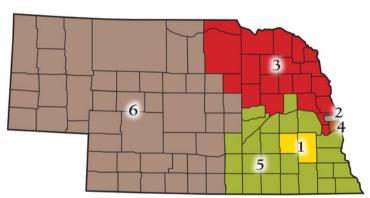


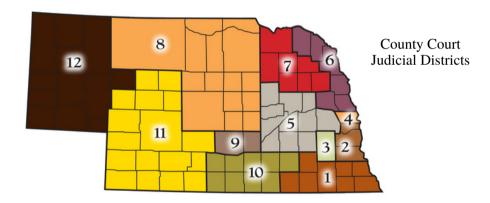
The Constitution of the State of Nebraska distributes the judicial power of the state among the Supreme Court, Court of Appeals, district courts and county courts. All state courts operate under the administrative direction of the Supreme Court.

There were a total of 993 cases docketed in the Nebraska appellate courts in FY21.

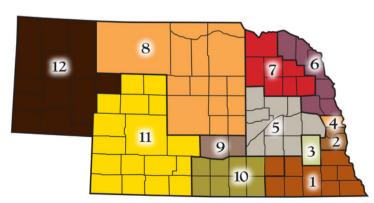
There were a total of 310,250 cases opened in the Nebraska trial Courts in FY21.

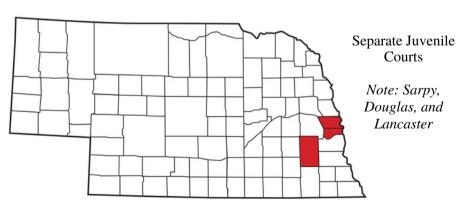






District Court & Probation Judicial Districts





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

Caseload - Nebraska Supreme Court	FY18	FY19	FY20	FY21
New Cases Docketed	67	56	52	61
 Petitions to Bypass Filed 	48	42	53	50
 Petitions to Bypass Granted 	30	30	30	37
 Petitions to Bypass Denied 	19	20	20	16
Cases Transferred from Court of Appeals	s 182	184	171	108
Petitions for Further Review Filed	235	238	258	216
 Petitions for Further Review Granted 	14	15	13	11
Petitions for Further Review Denied	177	218	246	207
Cases Disposed by Opinion	270	222	206	219
Cases Disposed Without Opinion	33	55	52	36
Total Cases Disposed	303	277	258	255
Caseload - Nebraska Court of Appeals				
	FY18	FY19	FY20	FY21
New Cases Docketed	1,226	1,133	1,007	932
 Transferred to the Supreme Court 	182	184	171	108
Petitions to Bypass Granted	30	24	36	37
Cases Disposed by Opinion	407	434	486	401
Total Cases Disposed	962	978	968	819



Nebraska Court Case Filings

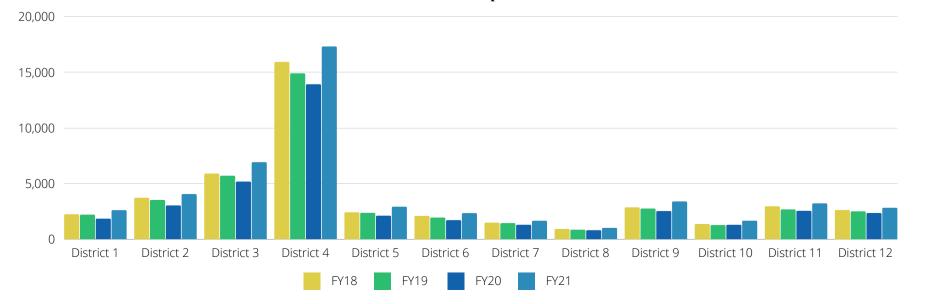
DISTRICT COURT CASES OPENED BY DISTRICT FY21

In FY21, Nebraska experienced an overall 29.2% increase in district court adult cases from FY20.

The greatest percentage increase was seen in District 5 with a increase of 38.2%, or 803 cases over the same period.

The smallest numeric increase was in District 12 with an increase of 466 cases (19.9%).

District	FY18	FY19	FY20	FY21	Difference	U
					From I	FY 20-21
District 1	2,231	2,196	1,837	2,598	761	41.4%
District 2	3,709	3,517	3,025	4,045	1,020	33.7%
District 3	5,889	5,696	5,170	6,911	1,741	33.7%
District 4	15,918	14,895	13,914	17,305	3,391	24.4%
District 5	2,413	2,358	2,104	2,907	803	38.2%
District 6	2,081	1,933	1,706	2,332	626	36.7%
District 7	1,476	1,437	1,288	1,646	358	27.8%
District 8	909	843	799	1,004	205	25.7%
District 9	2,852	2,744	2,520	3,381	861	34.2%
District 10	1,355	1,261	1,285	1,648	363	28.2%
District 11	2,946	2,666	2,541	3,206	665	26.2%
District 12	2,609	2,492	2,345	2,811	466	19.9%
Statewide Cases Opened	44,388	42,038	38,534	49,794	11,260	29.2%

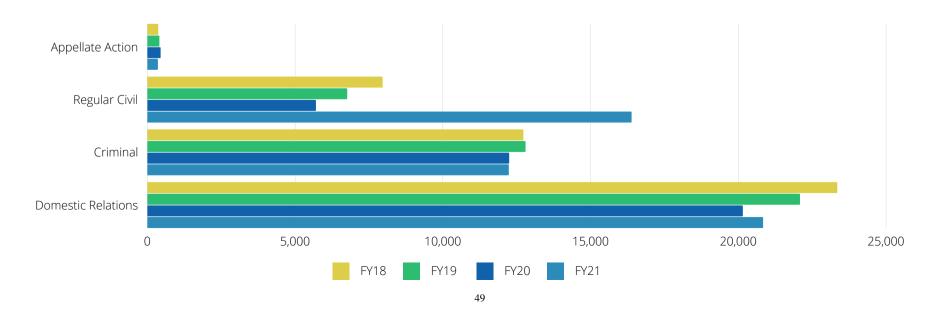


The majority of the increase in adult district court cases was seen in regular civil cases, with an increase of 10,679 cases (187.3%) from FY20 to FY21.

The only other cases that saw an increase were domestic relations cases with an increase of 3.4%, or 685 cases.

Criminal and appellate action cases both trended downward slightly; at 13 cases (0.1%) for the former and 91 cases (20.5% cases) for the latter.

Case Type	FY18	FY19	FY20	FY21	Difference	% Change
Criminal	12,720	12,793	12,240	12,227	-13	-0.1%
Regular Civil	7,960	6,761	5,703	16,382	10,679	187.3%
Domestic Relations	23,343	22,082	20,148	20,833	685	3.4%
Appellate Action	365	402	443	352	-91	-20.5%
Total Cases Opened	35,534	49,794	35,534	49,794	11,260	29.2%





Nebraska Court Case Filings

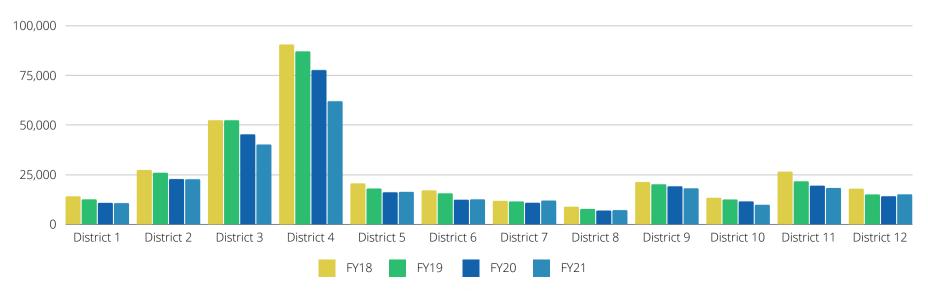
COUNTY COURT CASES OPENED BY DISTRICT FY21

County court had 243,930 adult cases opened in 2021. This was a decrease of 8.3%, or 22,153 cases from 2020.

District 4 showed the largest decrease, at 20.2% or 15,657 cases.

District 3 also saw a large decrease over the year with 5,104 fewer cases, 11.3%.

District	FY18	FY19	FY20	FY21	Difference From F	% Change
District 1	13,985	12,471	10,711	10,605	-106	-1.0%
District 2	27,259	25,864	22,704	22,609	-95	-0.4%
District 3	52,302	52,292	45,215	40,111	-5104	-11.3%
District 4	90,454	86,984	77,582	61,925	-15,657	-20.2%
District 5	20,500	17,933	16,049	16,253	204	1.3%
District 6	16,973	15,503	12,306	12,500	194	1.6%
District 7	11,714	11,401	10,753	11,854	1101	10.2%
District 8	8,745	7,648	6,843	7,058	215	3.1%
District 9	21,189	20,057	19,040	18,034	-1006	-5.3%
District 10	13,230	12,398	11,443	9,749	-1694	-14.8
District 11	26,403	21,576	19,377	18,236	-1141	-5.9%
District 12	17,827	14,949	14,060	14,996	936	6.7%
Statewide Cases Opened	320,581	299,076	266,083	243,930	-22,153	-8.3%



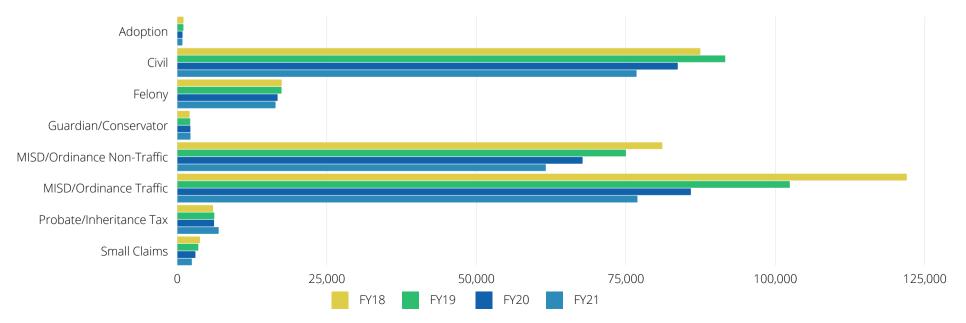
COUNTY COURT CASES OPENED BY CASE TYPE FY21

Overall, there was a slight decrease in cases opened in adult county court, with 22,153 cases less than FY20, which is 8.3% less.

Only guardian/conservator cases saw an increase of 0.8%, with 17 more cases than the previous year.

The greatest decrease in cases was seen in small claims, with a decrease of 598 cases, or 20%.

Case Type	FY18	FY19	FY20	FY21	Difference From F	% Change Y 20-21
Small Claims	3,750	3,477	2,997	2,399	-598	-20.0%
Probate/Inheritance Tax	5,941	6,149	6,115	6,881	766	12.5%
Misdemeanor/Ordinance Traffic	121,954	102,393	85,851	76,916	-8,935	-10.4%
Misdemeanor/Ordinance Non-Traffic	81,073	74,972	67,740	61,587	-6,153	-9.1%
Guardian/Conservator	2,021	2,121	2,149	2,166	17	0.8%
Felony	17,416	17,390	16,735	16,392	-343	-2.0%
Civil	87,430	91,591	83,656	76,767	-6,889	-8.2%
Adoption	996	983	840	822	-18	-2.1%
Total Case Filings	320,581	299,076	266,083	243,930	-22,153	-8.3%

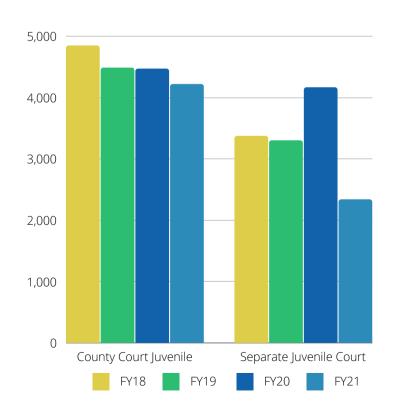


The number of juvenile cases decreased from FY20, with 2,076 fewer cases, or 24%.

County court cases decreased by 6%, while separate juvenile court cases fell by a considerable 44%.

For FY21, the majority of the cases opened were in county courts (64.3%). Juvenile cases made up the remaining 35.7%.

Court	FY18	FY19	FY20	FY21	Difference	U
County Court Juvenile	4,846	4,485	4,469	4,218	From F -251	Y 20-21 -6.0%
Separate Juvenile Court	3,373	3,300	4,164	2,339	-1,825	-44.0%
Total Juvenile Cases	8,219	7,785	8,633	6,557	-2,076	-24.0%





Nebraska Court Case Filings

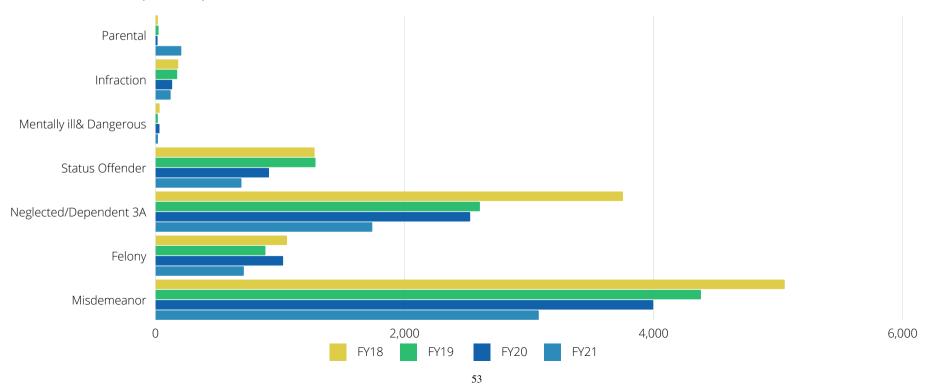
IUVENILE CASES OPENED BY CASE TYPE FY21

Among all juvenile cases by type, all case types trended downward, except for parental cases, which increased by 1,1810.%. This case type went up by 189 cases.

While the other case types decreased, mentally ill & dangerous case types saw the greatest decrease at 40.0%.

From FY20 to FY21 there was an overall 24.0% decrease, with 2,076 fewer cases.

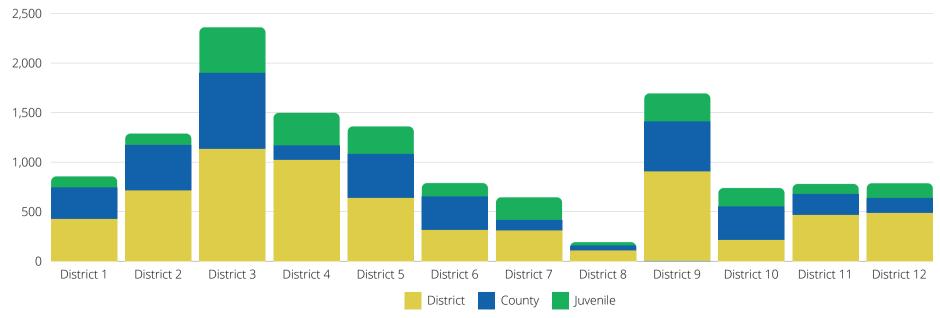
Juvenile Case Type	FY18	FY19	FY20	FY21	Difference	% Change
					From FY	20-21
Parental	18	24	16	205	189	1,181.0%
Infraction	180	172	132	120	-12	-9.0%
Mentally Ill & Dangerous	31	17	30	18	-12	-40.0%
Status Offender	1,276	1,283	910	689	-221	-24.0%
Neglected/Dependent 3A	3,752	2,604	2,256	1,740	-786	-31.0%
Felony	1,054	881	1,023	708	-315	-31.0%
Misdemeanor	5,052	4,379	3,996	3,077	-919	-23.0%
Total Juvenile Cases	11,377	9,360	8,633	6,557	-2,076	-24.0%

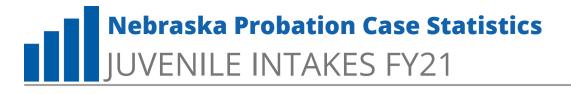


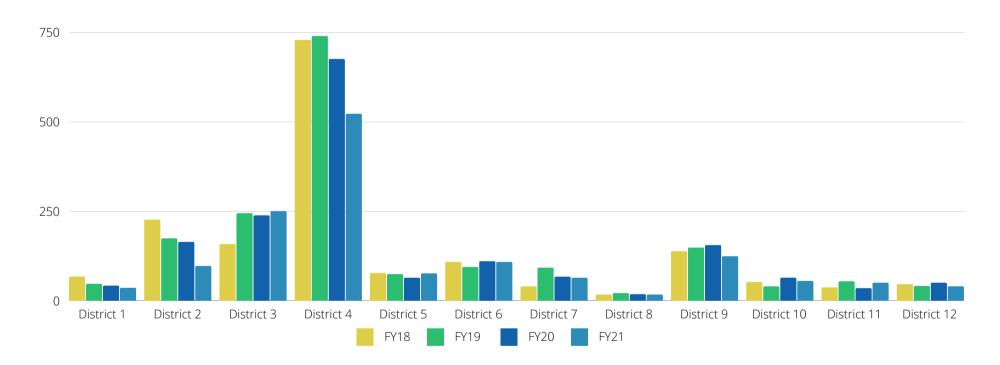


Nebraska Probation Case Statistics INVESTIGATIONS BY COURT TYPE FY21

District #	District	County	Juvenile	Total
District 1	424	316	113	853
District 2	715	454	116	1,285
District 3	1,131	766	460	2,357
District 4	1,018	150	326	1,494
District 5	635	445	277	1,357
District 6	313	340	133	786
District 7	308	108	226	642
District 8	106	51	33	190
District 9	902	505	283	1,690
District 10	214	337	185	736
District 11	467	212	98	777
District 12	487	150	147	784
Total	6,720	3,834	2,397	12,951

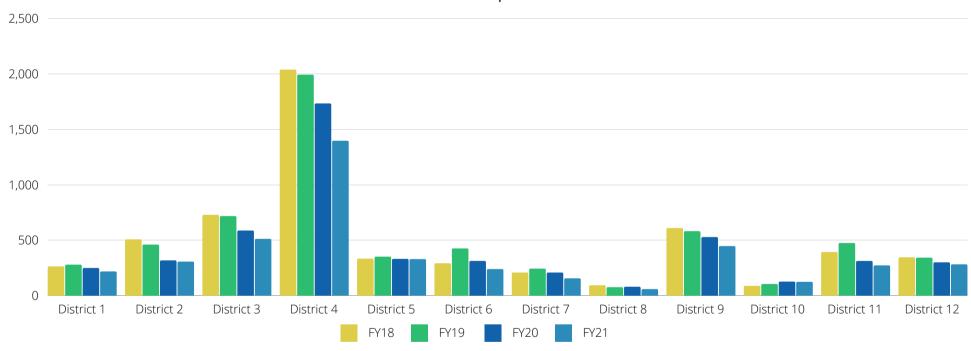






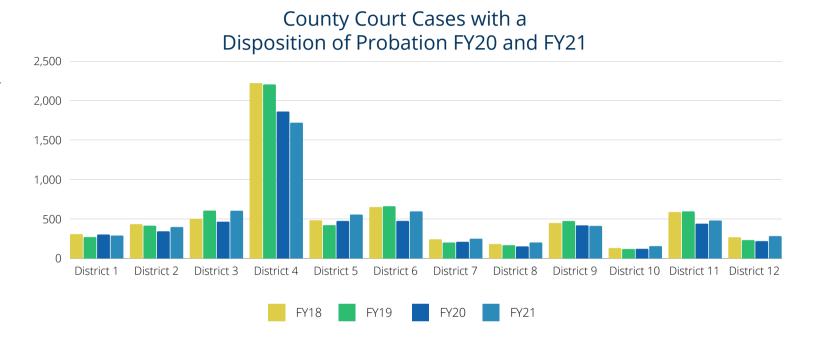
Nebraska State Probation had 1,439 intakes performed by probation officers during FY21. This is a 4.9% decrease from FY20.

District Court Cases with a Disposition of Probation or Post-Release Supervision FY20 and FY21



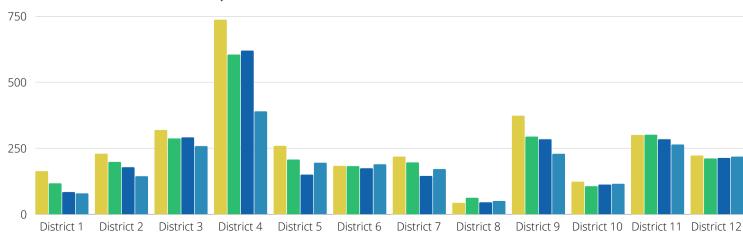
The number of district court cases (4,332 cases) with a disposition of probation or post-release supervision decreased by 15.7%

There was an 8.0% increase in the number of cases (5,936 cases) with a disposition of probation from county courts between FY20 and FY21



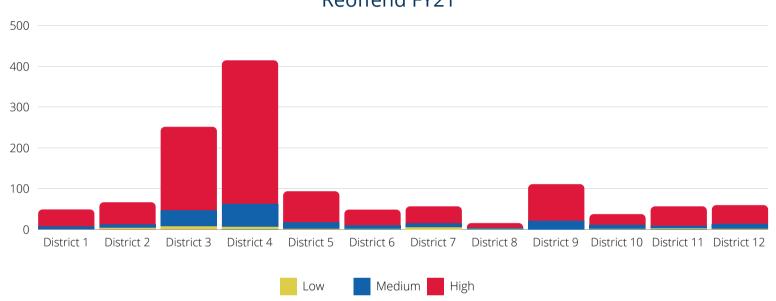
There was a 10.8% decrease in the number of cases (5,936 cases) with a disposition of probation from juvenile courts between FY20 and FY21.

Juvenile Court Cases with a Disposition of Probation FY20 and FY21



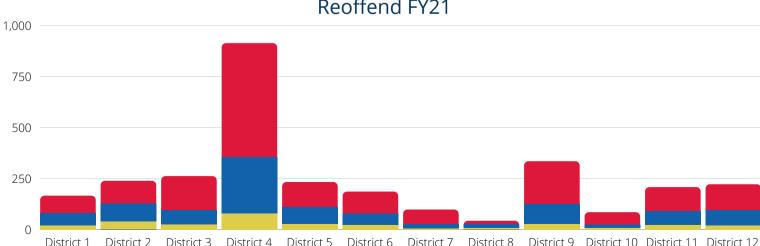
82% of post-release supervision cases were initially assessed at a high, or very high risk to reoffend without proper interventions.

Post-Release Supervision Cases and Risk to Reoffend FY21



58% of district court probation cases are initially assessed at a high, or very high risk to reoffend in FY21, without proper interventions.

District Court Cases and Risk to Reoffend FY21

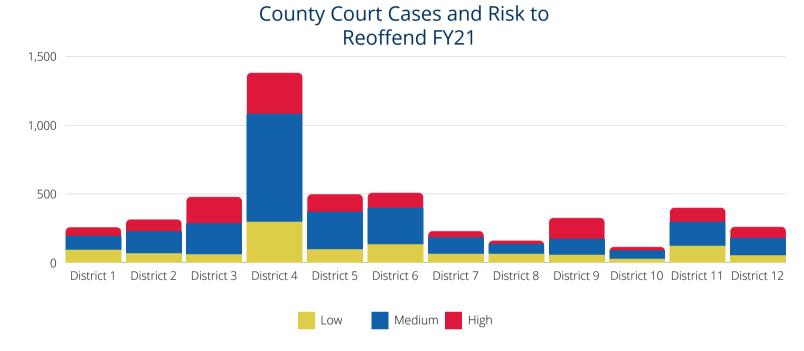


Nebraska Probation Case StatisticsRISK TO REOFFEND FY21

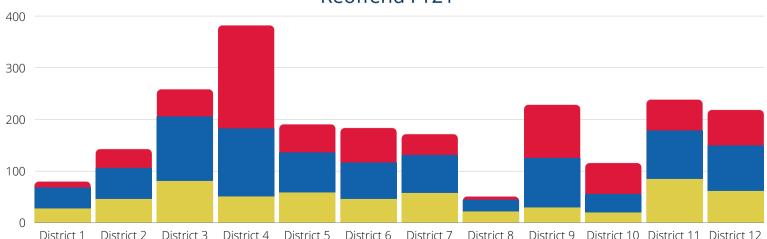
27% of county court probation cases are initially assessed at a

high, or very high risk to reoffend in FY21, without proper interventions.

34% of juvenile court probation cases are initially assessed at a high, or very high risk to reoffend in FY21, without proper interventions.



Juvenile Court Cases and Risk to Reoffend FY21





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