

## **Appendix A**

# **JUDICIAL BRANCH EDUCATION STANDARDS**

## **STANDARDS FOR APPELLATE COURT JUDGES**

### **Program Requirements**

Appellate court judges (judges of the Nebraska Supreme Court and the Nebraska Court of Appeals) shall receive orientation, if applicable, and shall complete a minimum of ten (10) of approved course work each year, including ethics training.

### **Participant's Responsibilities**

Appellate court judges should obtain and maintain professional competence through judicial education, spend such time as may reasonably be required to accomplish that purpose, support and assist other judges who may be attending judicial education programs as participants or as faculty, and, when reasonably able to do so, teach in judicial or legal education programs.

### **Curriculum Standards**

a. Judicial education should address the areas of judicial competence, performance, case management, opinion writing, and administration.

b. Judicial education programs should impart knowledge; improve skills and techniques; and increase the understanding of judges regarding their responsibilities and their impact on the judicial process, the people involved, and society.

c. Judicial education programs should include:

1. Orientation before or within twelve months after taking office as outlined in Section 4.
2. Education for new judges on major legal subjects and practical skills needed by them and appropriate to the jurisdiction of the court in which they serve.
3. Periodic educational offerings for all judges on the substantive, procedural, and evidentiary laws, ethics, United States constitutional law, and applicable federal law.
4. Continuing education programs emphasizing new developments in the law and judicial administration, procedural and technological developments in the judicial system, opinion writing, and other programs to enhance the efficiency, abilities, and knowledge of each judge.
5. Advanced and specialized programs.
6. Online courses and distance programs as offered or approved by Judicial Branch Education

### **Orientation**

Before assuming office, or within twelve months after appointment, JBE shall offer an orientation for the new judge using the experienced judges and comprising a comprehensive presentation of the procedures and functions of that court and procedural and substantive law applicable to it.

### **Continuing Education**

Appellate judges may attend a combination of approved local, regional, or national programs; At least every three years, a judge should attend a program of regional or national scope. At least every second year, the chief judges of the Courts of Appeals, in satisfaction of these requirements, should attend the annual seminar or meeting of the Council of Chief Judges of Courts of Appeals.

# **STANDARDS FOR DISTRICT, COUNTY AND SEPARATE JUVENILE COURT JUDGES**

## **Program Requirements**

Judges of the trial courts shall receive an orientation within 6 months of taking office and attend a general jurisdiction course outside of the State of Nebraska within 18 months of taking the bench. Trial Court judges shall complete a minimum of ten hours of approved course work each year.

## **Participant's Responsibilities**

Judges should obtain and maintain professional competence through judicial education, spend such time as may reasonably be required to accomplish that purpose, and support and assist other judges who may be attending judicial education programs as participants or faculty and, when reasonably able to do so, teach in judicial or legal education programs. Planning for Judicial Branch Education sponsored events shall occur each year utilizing the education committees of the various Judges' Associations. Working in conjunction with Judicial Branch Education, the committees shall develop an education plan to use as a guide in determining annual education offerings.

## **Curriculum Standards**

a. Judicial education should address the areas of judicial competence, performance, case management, opinion writing, and administration.

b. Judicial education programs should impart knowledge; improve skills and techniques; and increase the understanding of judges regarding their responsibilities and their impact on the judicial process, the people involved, and society.

c. Judicial education programs should include:

1. Orientation before or within six months of taking office. Before assuming office, or within the first six months of assuming office, a new county court judge shall participate in orientation. Such orientation shall be conducted using content approved by JBE upon recommendation of the County Judge's Education Committee.
2. Education for new judges on major legal subjects and practical skills needed by them and appropriate to the jurisdiction of the court in which they serve.
3. A formalized mentoring program for all new judges under guidelines approved by JBE.
4. Attendance at a general jurisdiction course outside of the state of Nebraska within 18 months of taking the bench.
5. Periodic educational offerings for all judges on the substantive, procedural, and evidentiary laws of Nebraska, the ethics of the profession, United States constitutional law, and applicable federal law.
6. Continuing education programs emphasizing new developments in the law and judicial administration, procedural and technological developments in the judicial system, opinion writing, and other programs to enhance the efficiency, abilities and knowledge of each judge.
7. National programs attended by the judge and approved for credit by JBE.
8. Online courses and distance education programs as approved and offered by Judicial Branch Education.

d. Juvenile jurisdiction judges should attend judicial education programs, as are reasonably available through Judicial Branch Education, which include education on major legal subjects and practical skills relevant to juvenile court jurisdiction and the curriculum would include: introduction to juvenile courts, overview of federal and state law, overseeing the 3A cases, overseeing the 3B and delinquency cases, writing orders, termination of parental rights, permanency issues, dispositions, divorce and paternity, mental health, substance abuse, foster care, specific needs of teenagers, the effects of trauma and domestic violence, the Indian Child Welfare Act, and judicial ethics.

# **STANDARDS FOR WORKERS' COMPENSATION JUDGES**

## **Program Requirements**

Judges of the Workers' Compensation Court (WCC) shall receive orientation and shall complete a minimum of ten hours of approved course work each year.

## **Participant's Responsibilities**

Workers' Compensation Judges should obtain and maintain professional competence through judicial education, spend such time as may reasonably be required to accomplish that purpose, and support and assist other WCC judges who may be attending judicial education programs as participants or faculty and, when reasonably able to do so, teach in judicial or legal education programs. The financing scheme for the Workers' Compensation Court provides it resources that can be dedicated to training and education. While JBE does not fund training for the Workers' Compensation Court judges and staff, it works closely with the court to provide education, share resources and track compliance with JBE rules.

## **Curriculum Standards**

- a. Judicial education should address the areas of judicial competence, performance, case management, opinion writing, and administration.
- b. Judicial education programs should impart knowledge; improve skills and techniques; and increase the understanding of judges regarding their responsibilities and their impact on the judicial process, the people involved, and society.
- c. Judicial education programs should include:
  1. Orientation before or within six months of taking office.
  2. Education for new WCC judges on major legal subjects and practical skills needed by the judge and appropriate to the jurisdiction of the court in which they serve.
  3. Periodic educational offerings for all judges on the substantive, procedural, and evidentiary laws of Nebraska, the ethics of the profession, and all applicable substantive law.
  4. Continuing education programs emphasizing new developments affecting their court, in the law and judicial administration, procedural and technological developments in the judicial system, opinion writing, and other programs to enhance the efficiency, abilities, and knowledge of each judge.
  5. Advanced and specialized programs.
  6. Online courses and programs as approved by Judicial Branch Education.
  7. National programs attended by the WCC judges and approved for credit by JBE.

## **Orientation**

Before assuming office, or within the first six months of assuming office, a new WCC judge shall participate in orientation. Such orientations shall include procedures and functions of that court and procedural and substantive law applicable to it. The orientation shall be designed by Judicial Branch Education in conjunction with the judges of the Workers' Compensation court.

## **Continuing Education**

Judges may attend a combination of approved local, regional, or national programs.

# **STANDARDS FOR PART-TIME JUDGES**

Retired judges must complete 10 hours of annual education in the event they are sitting as an active retired judge in Nebraska courts in excess of forty hours per year. Judicial Branch Education shall offer appropriate education to allow the retired judge to remain knowledgeable about current issues facing the judiciary.

# **STANDARDS FOR CHILD SUPPORT REFEREES**

## **Participant's Responsibilities**

Child Support referees shall obtain and maintain professional competence through judicial education. The child support referee shall attend an initial orientation and obtain eight (8) hours of education each year.

## **New Referee Program Requirements**

Within three (3) months of taking office, the child support referee shall participate in a new orientation which is formulated by JBE to introduce the referee to Nebraska court structure and procedures and to address the skills and knowledge needed to perform the functions of the position.

## **Curriculum Standards**

- a. Judicial education should address the areas of judicial competence, performance, case management, order writing and administration.
- b. Judicial education programs should impart knowledge; improve skills and techniques; and increase the understanding of the referee regarding their responsibilities and their impact on the judicial process, the people involved, and society.
- c. Judicial education programs for child support referees may include components of on- line and distance learning

# **STANDARDS FOR LAW CLERKS AND STAFF ATTORNEYS WORKING IN THE APPELLATE COURTS**

## **Program Requirements**

All employees who are attorneys in active practice in the State of Nebraska and employed in positions in the appellate courts are exempt from the provisions of the Supreme Court Rule Mandating Continuing Legal Education. The Law Clerks and Staff Attorneys of the state appellate level courts shall complete a minimum of ten (10) hours of education each year.

## **Curriculum Standards**

- a. Appellate Court staff education should address the areas of proficiency, competency, and performance.
- b. Court-related education and training programs should impart knowledge and understanding of the courts and the issues impacting the work of the Appellate Courts. Educational requirements shall be designed to increase the participant's understanding of the responsibilities of his or her position and its impact on the judicial process.
- c. Court-related education and training programs include:
  - 1. Orientation as soon as practicable after hiring as detailed herein.
  - 2. On-going education on an annual basis as offered by Judicial Branch Education.
  - 3. Online learning opportunities and distance learning sessions offered or approved by Judicial Branch Education.
  - 4. National and in state programs addressing issues faced by the Appellate courts with credit assigned upon approval by JBE.
- d. Orientation for Appellate Court employees shall include, as a minimum:
  - 1. A explanation of the specific responsibilities of the office involved and familiarization with court structure and procedures; and
  - 2. An overview of:
    - a. the Nebraska judiciary, including the structure and function of each court;
    - b. current issues in the courts;
    - c. expectations when dealing with the public in the courts; and
    - d. effective communication skills for court employees.

## **STANDARDS FOR APPELLATE AAS**

### **Program Requirements**

All Appellate Court administrative Assistants are encouraged to attend education on an annual basis.

### **Education Standards**

- a. Appellate Court AAs shall be invited to the new employee orientation as conducted by JBE
- b. The AA, in conjunction with the judge, can determine appropriate education by a review of the catalogue of courses and education opportunities posted on the JBE website.

## **STANDARDS FOR SUPREME COURT CLERK AND STATE LIBRARY EMPLOYEES**

### **Program Requirements**

All Supreme Court Clerk office and Nebraska State Library employees shall complete a minimum of eight (8) hours of approved course work each year.

### **Curriculum Standards**

- a. Court-related education should address the areas of proficiency, competency, and performance.
- b. Court-related education and training programs should impart knowledge and understanding of the Nebraska judiciary and the legal process and increase the participant's understanding of the responsibilities of his or her position and its impact on the judicial process.
- c. Court-related education and training programs include:
  1. Orientation as soon as practicable after hiring or appointment.
  2. On-going education on an annual basis as offered by Judicial Branch Education.
  3. Online learning opportunities offered by Judicial Branch Education.
  4. JBE Approved programs offered by non JBE vendors.

Orientation for Supreme Court Clerk and Library employees shall include, as a minimum:

1. A explanation of the specific responsibilities of the office involved and familiarization with court structure and procedures; and
2. An overview of:
  - a. the Nebraska judiciary, including the structure and function of each court;
  - b. current issues in the courts;
  - c. expectations when dealing with the public in the courts; and
  - d. effective communication skills for court employees.

On-going education for court employees shall be offered by Judicial Branch Education. Content shall be determined through the use of needs assessments completed by JBE in consultation with the Supreme Court Clerk. On-going education shall be offered in a variety of formats including online learning.

## **STANDARDS FOR CLERK MAGISTRATES AND COUNTY COURT ADMINISTRATORS**

### **Program Requirements**

County Court Administrators and Clerk Magistrates shall receive orientation and shall complete a minimum of eight (8) hours of approved course work each year. Participation in orientation and JUSTICE education are mandatory for all Magistrates and Administrators as further detailed in the curriculum standards below.

### **Curriculum Standards**

- a. Court-related education should address the areas of proficiency, competency, and performance.

b. Court-related education and training programs should impart knowledge and understanding of the Nebraska judiciary and the legal process and increase the participant's understanding of the responsibilities of his or her position and its impact on the judicial process and litigants.

c. Court-related education and training programs include:

1. Orientation as soon as practicable after hiring.
2. JUSTICE case management training which must take place within the first 3 months of employment. Successful completion of JUSTICE training is required to be completed during the provisional employment period. On-going JUSTICE training shall be completed as outlined by JBE.
3. Attendance at local and regional seminars for clerks of each court.
4. Advanced and specialized programs, if available and appropriate.
5. Webinars and Distance learning opportunities.
6. Taking part in the Court's Judicial Administration Certification Program.

### **New Clerk Magistrate/County Court Administrator Education Plan**

Whenever possible Judicial Branch Education shall consult with the new clerk magistrate within the first week of employment to develop an education plan that will assist with the transition into the duties of the position. The plan shall utilize JUSTICE training, orientation, the mentoring program, online learning and other education resources to introduce the new clerks to needed information. The plan shall be appropriate to address the skill and knowledge level of the new clerk magistrate.

### **Orientation**

Orientation for County Court Administrators and Clerk Magistrates shall include, as a minimum:

1. An explanation of the specific responsibilities of the office involved and familiarization with court structure and procedures; and
2. An overview of:
  - a. the Nebraska judiciary, including the structure and function of each court;
  - b. current issues in the courts, including dealing with pro se litigants, ethics and diversity issues;
  - c. expectations when dealing with the public in the courts; and
  - d. effective communication skills for court employees.

### **Mentoring**

A mentor shall be assigned within the first fourteen days of employment. The mentor shall be assigned by JBE through consultation with the clerk magistrate association orientation committee. JBE shall monitor the mentoring process through a system designed to elicit feedback from both mentor and protégé regarding the progress of the mentoring process. The process shall include visits by the mentor to the protégé's court and by the protégé to the mentor's court whenever possible.

## **STANDARDS FOR COUNTY COURT EMPLOYEES**

### **Program Requirements**

All County Court employees shall complete a minimum of eight (8) hours of approved course work each year. Participation in orientation and JUSTICE education are mandatory for all County Court employees as further detailed in the curriculum standards below.

### **Curriculum Standards**

a. Court-related education should address the areas of proficiency, competency, and performance.

b. Court-related education and training programs should impart knowledge and understanding of the Nebraska judiciary and the legal process and increase the participant's understanding of the responsibilities of his or her position and its impact on the judicial process. All court employees dealing with the public should be trained to fulfill duties relating to dealing with self-represented litigants.

c. Court-related education and training programs include:

1. Orientation as soon as practicable after hiring or appointment.

2. JUSTICE case management training which must take place within the first 3 months of employment. The specific session that must be attended will be determined by JBE based on the duties likely to be assigned to the position and the need for comprehensive training. Successful completion of JUSTICE training is required to be completed during the provisional employment period. In the event the duties of the employee change, appropriate JUSTICE training must be completed no later than 3 months following the change in duties. On-going JUSTICE training shall be completed as outlined by JBE. Current clerks who have not had in-classroom JUSTICE training shall complete training within 6 months of the effective date of this standard.
3. On-going education on an annual basis as offered by Judicial Branch Education.
4. Online learning opportunities offered by Judicial Branch Education.

Orientation for County Court employees shall include, as a minimum:

1. A explanation of the specific responsibilities of the office involved and familiarization with court structure and procedures; and
2. An overview of:
  - a. the Nebraska judiciary, including the structure and function of each court;
  - b. current issues in the courts, including jury management, ethics and diversity issues;
  - c. expectations when dealing with the public in the courts; and
  - d. effective communication skills for court employees.

On-going education for court employees shall be offered by Judicial Branch Education. Content shall be determined through the use of annual needs assessments completed by JBE in consultation with the AOC and the Clerk Magistrate association. On-going education shall be offered in a variety of formats including online learning.

## **STANDARDS FOR WORKERS' COMPENSATION COURT EMPLOYEES**

### **Program Requirements**

Attorneys employed by the Workers' Compensation Court shall complete a minimum of 10 hours of education approved by Judicial Branch Education. All other Workers' Compensation Court employees shall complete a minimum of 8 hours of approved course work each year. Education shall be funded through the Workers' Compensation Court.

### **Curriculum Standards**

- a. Court-related education should address the areas of proficiency, competency, and performance.
- b. Court-related education and training programs should impart knowledge and understanding of the Nebraska Workers' Compensation court and the issues that face the court and shall be designed to increase the participant's understanding of the responsibilities of his or her position and its impact on the judicial process.
- c. Court-related education and training programs include:
  1. Orientation as soon as practicable after hiring or appointment.
  2. On-going education on an annual basis as offered by Judicial Branch Education, including distance learning opportunities offered by Judicial Branch Education through online courses and webinars.
  3. Education/training offered through Workers' Compensation Court.
  4. National programs as approved by JBE.

Orientation for Nebraska Workers' Compensation Court employees shall include, as a minimum:

1. An explanation of the specific responsibilities of the office involved and familiarization with court structure and procedures; and
2. An overview of:
  - a. the Nebraska judiciary, including the structure and function of each court;
  - b. current issues in the courts;
  - c. expectations when dealing with the public in the courts; and
  - d. effective communication skills for court employees.

On-going education for court employees shall be offered by Judicial Branch Education. Content shall be determined through the use of needs assessments completed by JBE in consultation with the Nebraska Workers' Compensations Court. On-going education shall be offered in a variety of formats including online learning.

## **STANDARDS FOR EMPLOYEES OF THE OFFICE OF COUNSEL FOR DISCIPLINE**

### **Program Requirements**

All employees in the Office of the counsel for Discipline shall complete a minimum of eight (8) hours of approved course work each year. Education shall be funded through the budget of the Office of Counsel for Discipline.

### **Curriculum Standards**

- a. Court-related education should address the areas of proficiency, competency, and performance.
- b. Court-related education and training programs should impart knowledge and understanding of the courts and the issues impacting the work of the Counsel for Discipline. Educational requirements shall be designed to increase the participant's understanding of the responsibilities of his or her position and its impact on the judicial process.
- c. Court-related education and training programs include:
  1. Orientation as soon as practicable after hiring or appointment.
  2. On-going education on an annual basis as offered by Judicial Branch Education.
  3. Online learning opportunities offered by Judicial Branch Education.
  4. National and in state programs addressing issues faced by the Office.

Orientation for Nebraska Counsel for Discipline employees shall include, as a minimum:

1. A explanation of the specific responsibilities of the office involved and familiarization with court structure and procedures; and
2. An overview of:
  - a. the Nebraska judiciary, including the structure and function of each court;
  - b. current issues in the courts;
  - c. expectations when dealing with the public in the courts; and
  - d. effective communication skills for court employees.

On-going education for the Counsel for Discipline's office shall be offered by Judicial Branch Education. Content shall be determined through the use of needs assessments completed by JBE in consultation with the Counsel for Discipline. On-going education shall be offered in a variety of formats including online learning.

## **STANDARDS FOR COURT REPORTING PERSONNEL**

### **Program Requirements**

All Court Reporting Personnel shall complete a minimum of eight (8) hours of approved course work each year.

### **Curriculum Standards**

- a. Stenographic and digital court reporter and district court courtroom clerk education should address the areas of proficiency, competency and current issues facing them in the District and Separate Juvenile Courts.
- b. County court courtroom clerk education should address the areas of proficiency, competency and current issues facing them in the County Courts. This standard also applies to any county court personnel who, in whole or in part according to the terms of their employment, make, preserve or deliver the record of any trial or proceeding in the county court.
- c. Court-related education and training programs should impart knowledge and understanding of the Nebraska judiciary and the legal process and increase the participant's understanding of the responsibilities of his or her



position and its impact on the judicial process.

d. Court-related education and training programs shall include:

1. All Court Reporting Personnel as defined by Neb. Ct. R. § 1-204(A)(1) shall attend the orientation conducted by JBE and receive education regarding the Nebraska judiciary, including the structure and function of each court; current issues in the courts, including jury management, dealing with self-represented litigants, ethics and diversity issues.
2. Orientation should be completed within six months of hiring.
3. Stenographic Court Reporters in addition to the orientation conducted by JBE shall also attend an additional 4 hours of education taught or approved by JBE covering specific responsibilities and duties of the stenographic court reporter.
4. Digital Court Reporters in addition to the orientation conducted by JBE shall also attend an additional 4 hours of education taught or approved by JBE covering specific responsibilities and duties of the digital court reporter.
5. District and County Court Courtroom Clerks in addition to the orientation conducted by JBE shall also attend an additional 4 hours of education taught or approved by JBE covering specific responsibilities and duties of the courtroom clerk. This standard also applies to any county court personnel who, in whole or in part according to the terms of their employment, make, preserve or deliver the record of any trial or proceeding in the county court.
6. On-going annual education as offered by Judicial Branch Education.
7. Online learning opportunities offered by Judicial Branch Education.
8. Education offered by the Nebraska Court Reporters Association or other organizations offering education on making and preserving the record and approved for credit by Judicial Branch Education.

## **STANDARDS FOR CLERKS OF THE DISTRICT COURT**

### **Program Requirements**

All Clerks of the District Court shall complete a minimum of eight (8) hours of approved course work each year. JUSTICE training is mandatory for all Clerks of the District Court and their employees as further outlined below.

### **Curriculum Standards**

- a. Clerks of the District Court's education should address the areas of proficiency, competency and current issues facing the District Courts.
- b. Court-related education and training programs should impart knowledge and understanding of the Nebraska judiciary and the legal process and increase the participant's understanding of the responsibilities of his or her position and its impact on the judicial process.
- c. Court-related education and training programs include:
  1. Orientation as soon as practicable after election or appointment.
  2. On-going annual education as offered by Judicial Branch Education including JUSTICE training
  3. JUSTICE training which must take place within the first 3 months of employment. The specific session that must be attended will be determined by JBE based on the duties likely to be assigned to the position and the need for comprehensive training. In the event the duties of the employee change appropriate JUSTICE training must be completed no later than 3 months following the change in duties. On-going JUSTICE training shall be completed as outlined by JBE. Current Clerks who have not had in-classroom JUSTICE training shall complete training within 6 months of the effective date of this standard.
  4. Online learning opportunities offered by Judicial Branch Education.
  5. Education offered by the District Court Association and approved for credit by Judicial Branch Education.
  6. The Court Management Certification program sponsored by Judicial Branch Education.

**Orientation for Clerks of the District Court shall include, as a minimum:**

1. A explanation of the specific responsibilities of the office involved and familiarization with court structure and procedures; and
2. An overview of:
  - a. the Nebraska judiciary, including the structure and function of each court;
  - b. case management and the JUSTICE system; and
  - c. current issues in the courts, including jury management, dealing with pro se litigants, ethics and diversity issues.

**New Clerk of the District Court Education Plan**

Whenever possible, Judicial Branch Education shall consult with the new clerk within the first week of employment to develop an education plan that will assist the employment transition for the new clerk. The plan shall utilize JUSTICE training resources, orientation, online learning and other education resources to introduce the new clerk to needed information. The plan shall be appropriate to address the skill and knowledge level of the new clerk magistrate. JBE will work in conjunction with the Clerks of the District Court Education Committee to insure the training needs of the new clerk are met.

**STANDARDS FOR EX-OFFICIO CLERKS OF THE DISTRICT COURT****Program Requirements**

All Ex-Officio Clerks of the District Court shall complete a minimum of eight (8) hours of approved course work each year. JUSTICE training must be completed within the first 3 months of taking on the duties of the Clerk of the District Court.

**Orientation**

Newly elected/appointed ex-officio shall work with Judicial Branch Education to determine orientation needs. A program of orientation for ex-officios may be developed as a required online orientation.

**Curriculum Standards**

- a. Ex-Officio Clerks of the District Court's education should address the areas of proficiency, competency and current issues facing the District Courts.
- b. Court-related education and training programs should impart knowledge and understanding of the Nebraska judiciary and the legal process and increase the participant's understanding of the responsibilities of his or her position and its impact on the judicial process.
- c. Court-related education and training programs include:
  1. Orientation as soon as practicable after election or appointment.
  2. On-going annual education as offered by Judicial Branch. This training may be accomplished by use of an online program that addressed the responsibilities of the ex-officio as determined by JBE in consultation with the Ex-officio clerks.
  3. Education offered by the District Court Association and approved for credit by Judicial Branch Education.
  4. The Court Management Certification program sponsored by Judicial Branch Education.

**STANDARDS FOR EMPLOYEES OF THE DISTRICT COURT****Program Requirements**

Except for the Clerks of the District Court, all employees of the District Court, including court administrators, shall complete a minimum of eight (8) hours of approved course work each year. JUSTICE education is mandatory for all employees of the District Court as outlined below. In the event of noncompliance in a given annual period, Judicial Branch Education shall work with the Clerk of the District court to insure the employee is provided with education opportunities to make up for lost hours. Additional corrective action should be encouraged if an employee fails to comply in successive reporting periods.

### **Curriculum Standards**

- a. The employee's education should address the areas of proficiency, competency and current issues facing the District Courts.
- b. Court-related education and training programs should impart knowledge and understanding of the Nebraska judiciary and the legal process and increase the participant's understanding of the responsibilities of his or her position and its impact on the judicial process.
- c. Court-related education and training programs include:
  1. Orientation as soon as practicable after hiring or appointment.
  2. On-going annual education as offered by Judicial Branch Education. This training may be accomplished by use of an online program that addressed the responsibilities of the ex-officio as determined by JBE in consultation with the Clerks of the District Court.
  3. JUSTICE training must take place within the first 3 months of employment. The specific session that must be attended will be determined by JBE based on the duties likely to be assigned to the position and the need for comprehensive training. In the event the duties of the employee change, appropriate JUSTICE training must be completed no later than 3 months following the change in duties. On-going JUSTICE training shall be completed as outlined by JBE. Live classroom JUSTICE training will be offered by JBE on a regular basis. Current employees who have not had in-classroom JUSTICE training shall complete training within 6 months of the effective date of this standard.

## **STANDARDS FOR EMPLOYEES OF THE OFFICE OF THE REPORTER OF DECISIONS**

### **Program Requirements**

Employees of the Office of Reporter of Decision, if not otherwise listed in these standards shall complete a minimum of eight (8) hours of approved course work each year.

### **Curriculum Standards**

- a. Court-related education should address the areas of proficiency, competency, and performance.
- b. Court-related education and training programs should impart knowledge and understanding of the Nebraska judiciary and the legal process and increase the participant's understanding of the responsibilities of his or her position and its impact on the judicial process.
- c. Court-related education and training programs include:
  1. Orientation as soon as practicable after hiring or appointment.
  2. On-going education on an annual basis as offered by Judicial Branch Education.
  3. Online learning opportunities offered by Judicial Branch Education.

Orientation for Office of the Reporter employees shall include, as a minimum:

1. A explanation of the specific responsibilities of the office involved and familiarization with court structure and procedures; and
2. An overview of:
  - a. the Nebraska judiciary, including the structure and function of each court;
  - b. current issues in the courts, including jury management, ethics and diversity issues;
  - c. expectations when dealing with the courts; and
  - d. effective communication skills for court employees.

## **STANDARDS FOR DISTRICT COURT AND SEPARATE JUVENILE COURT BAILIFFS**

### **Program Requirements**

All bailiffs who serve on an as-needed only basis to provide oversight of juries must take the course on jury management offered by Judicial Branch Education. All other bailiffs shall obtain a minimum of eight (8) hours of approved course work each year as provided by Judicial Branch Education as well as taking the jury management course.

### **Curriculum Standards**

- a. Bailiff education should address the areas of proficiency, competency, and performance.
- b. Bailiff training programs should impart knowledge and understanding of the Nebraska judiciary and the legal process and increase the participant's understanding of the responsibilities of his or her position and its impact on the judicial process. Programming shall be offered on topics including jury management, diversity and dealing with self-represented litigants.
- c. Court-related education and training programs include:
  1. Orientation as soon as practicable after hiring.
  2. On-going education on an annual basis as offered by Judicial Branch Education.
  3. Online learning opportunities offered by Judicial Branch Education.

JBE shall work with the District Judges Education Committee and individual judges where appropriate to define needed education and design appropriate programming.

## **STANDARDS FOR SEPARATE JUVENILE COURT ADMINISTRATORS**

### **Program Requirements**

Court Administrators shall obtain a minimum of eight (8) hours of approved course work each year.

### **Curriculum Standards**

- a. Court Administrator education should address the areas of proficiency, competency, and performance.
- b. Court-related education and training programs should impart knowledge and understanding of the Nebraska judiciary and the legal process and increase the participant's understanding of the responsibilities of his or her position and its impact on the judicial process. Programming shall be offered on topics including jury management.
- c. Court-related education and training programs include:
  1. Orientation as soon as practicable after hiring or appointment.
  2. On-going education on an annual basis as offered by Judicial Branch Education.
  3. Online learning opportunities offered by Judicial Branch Education.

JBE shall work with the Juvenile Judges Education committee and individual judges where appropriate to define needed education and design appropriate programming.

## **STANDARDS FOR EMPLOYEES WORKING FOR SEPARATE JUVENILE COURTS**

### **Program Requirements**

Except for the Court Administrator, all employees of the Separate Juvenile Courts shall complete a minimum of eight (8) hours of approved course work each year. In the event of noncompliance in a given annual period, Judicial Branch Education shall work with the Administrator of the Separate Juvenile Court, or the supervisors to insure the employee is provided with education opportunities to make up for lost hours. Additional corrective action should be encouraged if an employee fails to comply in successive reporting periods.

### **Curriculum Standards**

- a. The employee's education should address the areas of proficiency, competency and current issues facing the Juvenile Courts.
- b. Court-related education and training programs should impart knowledge and understanding of the Nebraska judiciary and the legal process and increase the participant's understanding of the responsibilities of his or her position and its impact on the judicial process.

c. Court-related education and training programs include:

1. Orientation as soon as practicable after hiring or appointment.
2. On-going annual education as offered by Judicial Branch Education. This training may be accomplished by use of an online program that addressed the responsibilities of the employees as determined by JBE in consultation with the Court Administrator.

## **STANDARDS FOR PROBATION EMPLOYEES**

### **Program Requirements**

All probation employees will receive a standardized on the job orientation curriculum specific to their job duties, facilitated by their supervisor and/or appointed mentor in their office of employment. All new employees will be required to attend the appropriate level of new employee training provided by the Administrative Office of Probation.

### **Curriculum Standards for New Probation Employees**

All new employees will receive training on Evidence Based Practice and Motivational Interviewing. In addition, new support staff and Drug technicians will be provided additional job related core training which may include but is not limited to office safety and the Probation System's client management information system.

Probation Officer Trainees, Assistant Probation Officers and Case Monitors are required to attend four core weeks of training to include more comprehensive Evidence Based Practice, Motivational Interviewing, Assessment Tools, Cognitive Behavior Approaches, Case Planning, Pre-Sentence and Pre-Disposition Documents/Policies, the Standardized Model for the Delivery of Substance Abuse Services, Officer Safety and other specialized topics as deemed necessary.

Probation Officer Trainees who have specialized caseloads that include juvenile and/or CBI (high risk to re-offend) clients will attend two additional weeks on topics specific to these specialized case types.

Curriculum is presented in a variety of methods to best meet the learning styles of the participants and impart the skill development necessary to be proficient.

### **Standards for Probation Employees Continuing Education**

Support staff and Drug Technicians shall have a minimum of 8 hours continuing professional education a year.

Case Monitors and Assistant Probation Officers shall have a minimum of 12 hours continuing education a year.

Probation Officers shall have a minimum of 24 hours of continuing education a year, eight (8) hours of which shall be in the field of substance abuse and eight (8) hours of officer safety.

Community Based Intervention officers shall have the minimum 32 hours with:

- A. Non-Specialized CBI Officers having twelve (12) hours in the field of substance abuse, eight (8) hours in the field of behavioral health, four (4) hours in the field of sex offender management, four (4) hours in the field of domestic violence offender management.
- B. Specialized CBI Officers having forty percent (40%) of the 36 hours in their area of specialization, 16 hours in the field of substance abuse.

Management staff (includes Reporting Center and Problem Solving Court Coordinators): thirty-two (32) hours, with eight (8) hours being specifically related to management topics, i.e., Training for Trainers for Management.

Continuing education curriculum must be offered by the Administrative Office of Probation and/or approved in advance by Judicial Branch Education.

All Probation Officers shall have eight (8) hours of officer safety training a year.

### **Standards for Probation Administrative Staff**

Probation Administrative staff shall have a minimum of 24 hours of continuing education the first year, with eight (8) hours being specific to management topics. After the first year Probation Administrative staff shall have a minimum of eight (8) hours each year.

### **Standards for Probation Training Staff**

Employees interested in becoming staff trainers must be recommended by their supervisor, and approved by Probation's Administrative Office prior to applying to Judicial Branch Education for acceptance into the Foundation Skills for Trainers 40-hour course. Upon successful completion of the course, the staff member will work with the Probation Education manager to begin training topics appropriate to the skill level of the staff member and approved by the Probation Education Manager.

Upon completion of the Foundation Skills course, trainers are expected to attend the Curriculum Design and Development 40-hour course during the next available offering of the course. This is also an application process.

When possible, the administrative office will provide additional training opportunities for staff trainers to improve their training skills.

## **STANDARDS FOR AOC AND AOP EMPLOYEES NOT OTHERWISE LISTED**

### **Program Requirements**

Employees of the Administrative Office of the Court and Probation, if not otherwise listed in these standards shall complete a minimum of eight (8) hours of approved course work each year.

### **Curriculum Standards**

- a. Court-related education should address the areas of proficiency, competency, and performance.
- b. Court-related education and training programs should impart knowledge and understanding of the Nebraska judiciary and the legal process and increase the participant's understanding of the responsibilities of his or her position and its impact on the judicial process.
- c. Court-related education and training programs include:
  1. Orientation as soon as practicable after hiring or appointment.
  2. On-going education on an annual basis as offered by Judicial Branch Education.
  3. Online learning opportunities offered by Judicial Branch Education.

Orientation for all employees shall include, as a minimum:

1. A explanation of the specific responsibilities of the office involved and familiarization with court structure and procedures; and
2. An overview of:
  - a. the Nebraska judiciary, including the structure and function of each court;
  - b. current issues in the courts, including jury management, ethics and diversity issues;
  - c. expectations when dealing with the public as a representative of the courts; and
  - d. effective communication skills for employees.

On-going education for all employees shall be offered by Judicial Branch Education. Content shall be determined through consultation with department heads and the use of needs assessments completed by JBE in consultation with the AOC and the AOP training committee. On-going education shall be offered in a variety of formats including online learning.

## **Continuing Education – Payment**

Judges and staff may attend a combination of approved local, regional, or national programs; JBE will use established criteria for determining whether financial assistance is available to pay expenses for individualized programs upon application for funding from the judge or staff member.

## **Compliance with JBE Requirements**

JBE shall do an annual review of compliance with the JBE requirements. In the event of an employee's noncompliance, a corrective plan should be developed by JBE working in conjunction with the supervisor to cure the noncompliance. In the event of repeat instances of noncompliance by an employee disciplinary steps may be followed.

In the case of a judge's noncompliance with JBE requirements, a corrective plan shall be proposed by JBE with details to be worked out between the judge and JBE. In the case of repeat instances of a judge's noncompliance referral to the Judicial Qualifications Commission may occur.

Neb. Ct. R. Ch. 1, Art. 5, Appendix A adopted April 10, 2013; amended October 30, 2013; amended November 15, 2017; amended November 22, 2017; amended September 15, 2021; amended September 14, 2022.