

**MINUTES OF THE PUBLIC HEARING OF
THE NEBRASKA JUDICIAL RESOURCES COMMISSION
April 11, 2025**

Pursuant to the press release issued April 1, 2025, the public hearing of the Nebraska Judicial Resources Commission was held on the 11th day of April 2025, in the Nebraska Supreme Court Courtroom, State Capitol Building, in Lincoln, Nebraska.

AGENDA ITEM I: The Chair called the proceedings to order at approximately 10 a.m. The proceedings included a Zoom videoconferencing option for Commission members and for members of the public. Roll Call by Kara Nielsen.

PRESENT (* denotes Zoom attendance)

Justice Jonathan Papik
Judge Anne Paine*
Judge Travis O’Gorman*
Judge Matthew Kahler*
Taylor Gage
Cyd Hall*
Kenneth Hartman
Roxanne Kracl*
Jane Langan Mach
Nancy McCabe*
Meagan Spomer*
Darlene Starman*
Ron Temple*
Jacqueline Tessendorf*
Maria Whitmore*

EXCUSED

Robert Parker
Brian Phares

AGENDA ITEM II: The Chair confirmed that all Commission members had received and reviewed the minutes from the January 17, 2025, hearing. On a voice vote the commissioners unanimously accepted the minutes of January 17th.

AGENDA ITEM III: The following exhibits were received and considered by the Commission, and are attached to these minutes:

Exhibit 1: Meeting Agenda
Exhibit 2: Minutes of the January 17, 2025, hearing.
Exhibit 3: Press Release re: Appointment of Justice Jason M. Bergevin
Exhibit 4: Resignation letter of Judge Matthew Neher
Exhibit 5: Retirement letter of Judge Edward D. Steenburg
Exhibit 6: NSBA letter of Judge Tricia Freeman
Exhibit 7: 2024 County Court Weighted Caseload Report
Exhibit 8: 2024 District court Weighted Caseload Report

AGENDA ITEM IV: The public hearing was conducted, and the Commission received and considered public testimony from: Judge Rachel Daugherty, 5th District, District Court; Judge Michael Piccolo, 11th District, District Court; Liz Neeley, Executive Director of the Nebraska State Bar Association; and Corey Steel, State Court Administrator.

(a): It was moved by Jane Langan Mach and seconded by Taylor Gage to declare a judicial vacancy in the District Court in the 5th Judicial District due to the appointment of Justice Jason Bergevin to the Nebraska Supreme Court, with the primary location being Columbus, Platte County, Nebraska. On a roll call vote the motion passed unanimously.

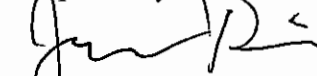
(b): It was moved by Ken Hartman and seconded by Taylor Gage to declare a judicial vacancy in the District Court in the 11th Judicial District due to the resignation of Judge Matthew Neher, with the primary location being Lexington, Dawson County, Nebraska. On a roll call vote the motion passed unanimously.

(c) It was moved by Ken Hartman and seconded by Jane Langan Mach to declare a judicial vacancy in the County Court in the 11th Judicial District due to the retirement of Judge Edward D. Steenburg, with the primary location being North Platte, Lincoln County, Nebraska. On a roll call vote the motion passed unanimously.

AGENDA ITEM V: The Chair noted that the next public hearing of the Judicial Resources Commission will be held on August 15, 2025.

AGENDA ITEM VI: There being no other matters, a motion to adjourn was made and approved unanimously by voice vote. The Commission adjourned.

Respectfully submitted:



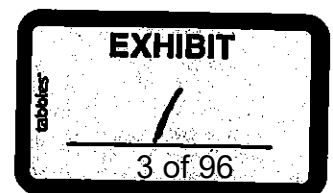
Justice Jonathan J. Papik
Chair

HEARING AGENDA
JUDICIAL RESOURCES COMMISSION
April 11, 2025 – 10 a.m. CDT
Supreme Court Courtroom, State Capitol, Lincoln, Nebraska
Proceedings include virtual conferencing VIA WEBINAR

- I. Call meeting to order; roll call of members.
- II. Approve minutes from meeting held January 17, 2025.
- III. Identify/receive exhibits to be considered by Commission during public hearing.

Exhibit 1: Meeting Agenda
Exhibit 2: Minutes of the January 17, 2025, hearing.
Exhibit 3: Press Release re: Appointment of Justice Jason M. Bergevin
Exhibit 4: Resignation letter of Judge Matthew Neher
Exhibit 5: Retirement letter of Judge Edward D. Steenburg
Exhibit 6: NSBA letter of Judge Tricia Freeman
Exhibit 7: 2024 County Court Weighted Caseload Report
Exhibit 8: 2024 District court Weighted Caseload Report

- IV. Conduct Public Hearing on any judicial resignation:
 - a. Whether a judicial vacancy exists in the office of the District Court, 5th Judicial District, due to the appointment of Justice Jason M. Bergevin to the Supreme Court, and if so, whether to recommend a primary office location.
 - b. Whether a judicial vacancy exists in the office of the District Court, 11th Judicial District, due to the resignation of Judge Matthew Neher, and if so, whether to recommend a primary office location.
 - c. Whether a judicial vacancy exists in the office of the County Court, 11th Judicial District, due to the retirement of Judge Edward D. Steenburg, and if so, whether to recommend a primary office location.
- V. Adjourn



**MINUTES OF THE PUBLIC HEARING OF
THE NEBRASKA JUDICIAL RESOURCES COMMISSION
January 17, 2025**

Pursuant to the press release issued January 6, 2025, the public hearing of the Nebraska Judicial Resources Commission was held on the 17th day of January 2025, in the Nebraska Supreme Court Courtroom, State Capitol Building, in Lincoln, Nebraska.

AGENDA ITEM I: The Chair called the proceedings to order at approximately 10 a.m. The proceedings included a Zoom videoconferencing option for Commission members and for members of the public.

PRESENT (* denotes Zoom attendance)

Justice Jonathan Papik
Judge Anne Paine*
Judge Travis O’Gorman*
Judge Matthew Kahler*
Taylor Gage
Cyd Hall*
Kenneth Hartman
Jane Langan Mach
Nancy McCabe*
Brian Phares*
Meagan Spomer*
Darlene Starman
Ron Temple*
Jacqueline Tessendorf*
Maria Whitmore*

EXCUSED

Roxanne Krael
Robert Parker

AGENDA ITEM II: The Chair confirmed that all Commission members had received and reviewed the minutes from the December 13, 2024, hearing. On a voice vote the commissioners unanimously accepted the minutes of December 13.

AGENDA ITEM III: The following exhibits were received and considered by the Commission, and are attached to these minutes:

- Exhibit 1: Meeting Agenda
- Exhibit 2: Minutes of the December 13, 2024, hearing.
- Exhibit 3: Retirement letter of Judge W. Russell Bowie
- Exhibit 4: Retirement letter of Mark A. Johnson
- Exhibit 5: Retirement letter of Jeffrey L. Marcuzzo
- Exhibit 6: Judge Marcela Keim Letter re 4th CC
- Exhibit 7: Judge James Kube Letter re 7th DC
- Exhibit 8: NSBA Tricia Freeman Letter re JRC
- Exhibit 9: 2024 County Court Weighted Caseload Report



Exhibit 10: 2024 District Court Weighted Caseload Report

Exhibit 11: Judge Jeffrey Lux Letter re 4th DC

Exhibit 12: Kevin Slimp Letter re 4th CC

Exhibit 10: Omaha Bar Association, Angela Lennon letter re: 4th District, County Court

AGENDA ITEM IV: The public hearing was conducted, and the Commission received and considered public testimony from: Judge Jeffrey Lux, 4th District, District Court; Judge Marcella Keim, 4th District, County Court; Judge Grant Forsberg, 4th District, County Court; and Corey Steel, State Court Administrator for Court Services.

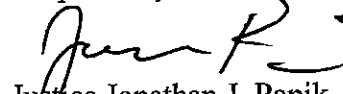
(a): It was moved by Ken Hartman and seconded by Meagan Spomer to declare a judicial vacancy in the District Court in the 4th Judicial District due to the retirement of Judge W. Russell Bowie, with the primary location being Omaha, Douglas County, Nebraska. On a roll call vote the motion passed unanimously.

(b): It was moved by Meagan Spomer and seconded by Jane Langan Mach to declare a judicial vacancy in the District Court in the 7th Judicial District due to the retirement of Judge Mark A. Johnson, with the primary location being Madison, Madison County, Nebraska. On a roll call vote the motion passed unanimously.

(c): It was moved by Ken Hartman and seconded by Jane Langan Mach to declare a judicial vacancy in the County Court in the 4th Judicial District due to the retirement of Judge Jeffrey L. Marcuzzo, with the primary location being Omaha, Douglas County, Nebraska. On a roll call vote the motion passed unanimously.

AGENDA ITEM V: There being no other matters, the Commission adjourned.

Respectfully submitted:



Justice Jonathan J. Papik
Chair

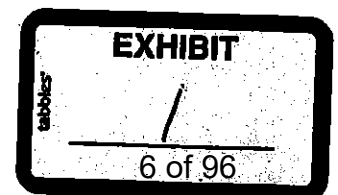
HEARING AGENDA
JUDICIAL RESOURCES COMMISSION
January 17, 2025 – 10 a.m. CST
Supreme Court Courtroom, State Capitol, Lincoln, Nebraska
Proceedings include virtual conferencing VIA WEBINAR

- I. Call meeting to order; roll call of members.
- II. Approve minutes from meeting held December 13, 2024.
- III. Identify/receive exhibits to be considered by Commission during public hearing.

- Exhibit 1: Meeting Agenda
- Exhibit 2: Minutes of the December 13, 2024, hearing.
- Exhibit 3: Retirement letter of Judge W. Russell Bowie
- Exhibit 4: Retirement letter of Mark A. Johnson
- Exhibit 5: Retirement letter of Jeffrey L. Marcuzzo
- Exhibit 6: Keim Letter re 4th CC
- Exhibit 7: Kube Letter re 7th DC
- Exhibit 8: NSBA Freeman Letter re JRC
- Exhibit 9: 2024 County Court Weighted Caseload Report
- Exhibit 10: 2024 District Court Weighted Caseload Report
- Exhibit 11: Lux Letter re 4th DC
- Exhibit 12: Slimp Letter re 4th CC

- IV. Conduct Public Hearing on any judicial resignation:
 - 1. Whether a judicial vacancy exists in the office of the District Court, 4th Judicial District, due to the retirement of Judge W. Russell Bowie, and if so, whether to recommend a primary office location.
 - 2. Whether a judicial vacancy exists in the office of the District Court, 7th Judicial District, due to the retirement of Judge Mark A. Johnson, and if so, whether to recommend a primary office location.
 - 3. Whether a judicial vacancy exists in the office of the County Court, 4th Judicial District, due to the retirement of Judge Jeffrey L. Marcuzzo, and if so, whether to recommend a primary office location.

- V. Adjourn



**MINUTES OF THE ANNUAL MEETING AND PUBLIC HEARING OF
THE NEBRASKA JUDICIAL RESOURCES COMMISSION
December 13, 2024**

Pursuant to the press release issued December 4, 2024, the Annual Meeting and public hearing of the Nebraska Judicial Resources Commission was held on the 13th day of December 2024, in the Nebraska Supreme Court Courtroom, State Capitol Building, in Lincoln, Nebraska.

AGENDA ITEM I: The Chair called the proceedings to order at approximately 10 a.m. The proceedings included a Zoom videoconferencing option for Commission members and for members of the public. Roll Call by Kara Nielsen.

PRESENT (* denotes Zoom attendance)

Justice Jonathan Papik
Judge Anne Paine*
Judge Travis O'Gorman*
Judge Matthew Kahler
Taylor Gage
Kenneth Hartman
Roxanne Kracl*
Jane Langan Mach*
Nancy McCabe
Robert Parker*
Brian Phares*
Meagan Spomer*
Darlene Starman
Ron Temple*
Jacqueline Tessendorf*
Maria Whitmore*

EXCUSED

Cyd Hall

The Chair noted for the record that Timothy Engler resigned from the Commission on November 7, 2024. The Chair introduced and welcomed Jane Langan Mach. Ms. Langan Mach will serve the remainder of Mr. Engler's term which expires July 1, 2026.

AGENDA ITEM II: The Chair confirmed that all Commission members had received and reviewed the minutes from the September 13, 2024, hearing. On a voice vote the commissioners unanimously accepted the minutes of September 13.

AGENDA ITEM III: The following exhibits were received and considered by the Commission, and are attached to these minutes:

- Exhibit 1: Meeting Agenda
- Exhibit 2: Minutes of the September 13, 2024, hearing.
- Exhibit 3: Resignation letter of Judge Darryl R. Lowe.
- Exhibit 4: Resignation letter of Ryan C. Carson

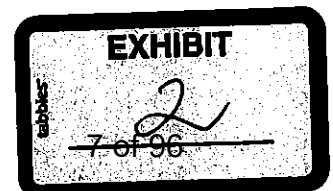


Exhibit 5: Letter from Tricia Freeman of the NSBA
Exhibit 6: 2024 County Court Weighted Caseload Report
Exhibit 7: 2024 District court Weighted Caseload Report
Exhibit 8: County Court Judge Marcella Keim letter re: 4th District, County Court
Exhibit 9: Omaha City Prosecutor Kevin Slimp letter re: 4th District, County Court
Exhibit 10: Omaha Bar Association, Angela Lennon letter re: 4th District, County Court

AGENDA ITEM IV: The public hearing was conducted, and the Commission received and considered public testimony from: Judge Marcella Keim, 4th District, County Court; Judge Grant Forsberg, 4th District, County Court; Liz Neeley, Executive Director of the Nebraska State Bar Association; and Amy Prenda, Deputy State Court Administrator for Court Services.

(a): It was moved by Judge Matthew Kahler and seconded by Ken Hartman to declare a judicial vacancy in the County Court in the 4th Judicial District due to the resignation of Judge Darryl Lowe, with the primary location being Omaha, Douglas County, Nebraska. On a roll call vote the motion passed unanimously.

(b): It was moved by Judge Matthew Kahler and seconded by Maria Whitmore to declare a judicial vacancy in the District Court in the 9th Judicial District due to the appointment of Judge Ryan Carson as federal magistrate judge, with the primary location being Kearney, Buffalo County, Nebraska. On a roll call vote the motion passed unanimously.

AGENDA ITEM V: The Chair presented the 2024 Report on Judicial Caseloads, Filing Trends, and Factors Affecting Judicial Resources. Supportive data was shared via PowerPoint, and a copy of that presentation is attached to these minutes.

AGENDA ITEM VI: Annual Meeting topics under Neb. Rev. Stat. § 24-1205:

(a): The Commission took up whether it is appropriate to recommend adding a judgeship in any judicial district. No motions were made on this issue.

(b): The Commission took up whether it is appropriate to recommend reducing a judgeship in any judicial district. No motions were made on this issue.

(c): The Commission took up whether to recommend any judicial district boundaries, or number of judicial districts, should be changed for the district or county courts. No motions were made on this issue.

(d): The Commission took up whether to make any recommendations for the more balanced use of existing judicial resources. No motions were made on this issue.

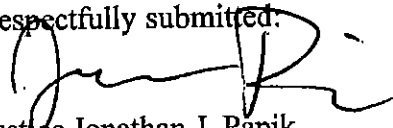
AGENDA ITEM VII: Other items were brought to the attention of the Commission.

(a): The Chair addressed the vacancy in the office of Secretary, resulting when Timothy Engler resigned. The vacancy will be further addressed at the meeting of January 17, 2025.

(b): The Chair advised the Commission of the dates for the 2025 meetings: January 17, April 11, August 15, and November 14.

AGENDA ITEM VIII: There being no other matters, a motion to adjourn was made by Maria Whitmore, and seconded by Brian Phares. The voice vote of the commissioners was approved unanimously. The Commission adjourned.

Respectfully submitted,



Justice Jonathan J. Papik
Chair



STATE OF NEBRASKA

The District Court of Nebraska

FOURTH JUDICIAL DISTRICT

JUDGE W. RUSSELL BOWIE
HALL OF JUSTICE
OMAHA, NEBRASKA 68183-0410
402-444-7015
FAX 402-996-8152

DANIELA ASPLIN
BAILIFF

SHELLY M. CHAPMAN, RPR, CRR
OFFICIAL COURT STENOGRAPHER

October 28, 2024

RECEIVED

OCT 30 2024

Office of the Chief Justice

Honorable Michael G. Heavican
Chief Justice
Nebraska Supreme Court
Box 98910
Lincoln, Nebraska 68509

Dear Mike:

I have decided to retire from the bench effective at the end of the day January 8, 2025. It has been an honor and a privilege to serve the citizens of Douglas County, and a few others, during my 18-plus years.

Sincerely,


W. Russell Bowie

EXHIBIT

3

10 of 96

**District Court of the State of Nebraska
Seventh Judicial District**

MARK A. JOHNSON, DISTRICT JUDGE

ANN BARNES
BAILIFF

CHRISTAL McDONALD
COURT REPORTER

November 22, 2024

RECEIVED

DEC - 2 2024

Office of the Chief Justice

Honorable Jim Pillen
Governor of Nebraska
State Capitol Building
Lincoln, Nebraska 68509

Dear Governor Pillen:

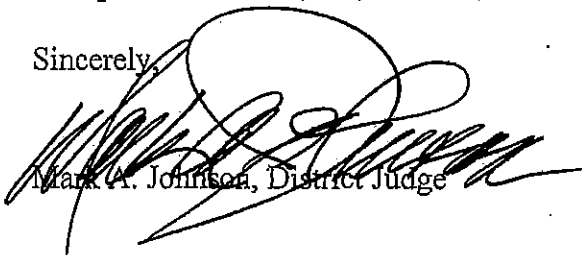
Please accept this letter as notice of my retirement at end of day on January 15, 2025. It has been a distinct honor and privilege to have served as District Judge of the Seventh Judicial District of the State of Nebraska since April 24, 2013.

I especially wish to thank former Governor Dave Heineman for the appointment and opportunity to serve the citizens of this district, and to serve beside such talented and dedicated judges.

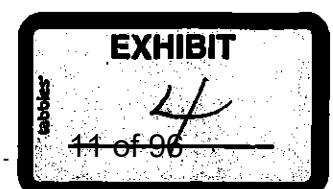
I also wish to express my deepest gratitude to my court reporter, bailiffs, and the clerks of the district courts and staff for their help, humor, and assistance every day in such a positive and professional manner.

And, lastly, I would offer my many thanks to the attorneys who have appeared before me for their professionalism, wit, and wisdom.

Sincerely,



Mark A. Johnson, District Judge



Jeffrey L. Marcuzzo

County Court Judge
4th Judicial District
1701 Farnam, Street
Omaha, NE 68183
(402) 444-5438

Honorable Jim Pillen
Governor of Nebraska
State Capital Building
P.O. Box 94848
1445 K St.
Lincoln, NE 68508

December 2, 2024

RECEIVED

DEC - 9 2024

RE: Retirement

Office of the Chief Justice

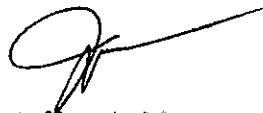
Dear Governor Pillen:

It has been a pleasure and a privilege to serve as a Douglas County Court Judge for the past 24 ½ years. I will retire as a County Court Judge of the Fourth Judicial District effective January 10, 2025.

I was gratefully appointed by former Governor Mike Johanns in 2000 and have since been retained four times by the voters.

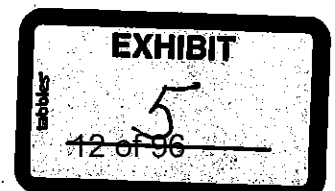
I have been honored to serve and have thoroughly enjoyed the opportunity to be a member of the judiciary of the great state of Nebraska.

Sincerely,



Jeffrey L. Marcuzzo

cc: Chief Justice Jeffrey J. Funke, Nebraska Supreme Court
Corey R. Steel, Nebraska State Court Administrator
Hon. Marcella A. Keim, Presiding Judge, County Court Fourth Judicial District



Judges
Marcela A. Keim
Presiding Judge

COUNTY COURT

Douglas County, Nebraska

Hall of Justice, 2nd Floor, 1701 Farnam Street
Omaha, Nebraska 68183
(402) 444-5428 Fax (402) 444-6890

Paul G. Finley
Grant A. Forsberg
Stephanie R. Hansen
Thomas K. Harmon
Marcena M. Hendrix
John E. Huber
Sheryl L. Lohaus
Darryl R. Lowe
Jeffrey L. Marcuzzo
Craig Q. McDermott
Stephanie S. Shearer

Pamela J. Cardenas
Judicial Administrator
(402) 444-7550

Civil/Small Claims Division
Omaha/Douglas Civic Center
1819 Farnam Street
(402) 444-5424

Criminal/Traffic Division
Hall of Justice, 2nd Floor
1701 Farnam Street
(402) 444-5387

Probate Division
Hall of Justice, 3rd Floor
1701 Farnam Street
(402) 444-7153

January 8, 2025

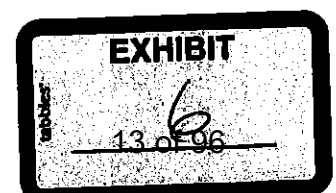
Judicial Resources Commission
% Kara Nielsen
State Capitol Building
P.O. Box 98910
Lincoln, NE 68509
Kara.Nielsen@nejudicial.gov

Dear Justice Jonathan J. Papik and Members of the Commission:

On behalf of the County Court in the Fourth Judicial District, I am requesting that the Judicial Resources Commission determine the existence of a judicial vacancy due to the retirement of Jeffrey L. Marcuzzo.

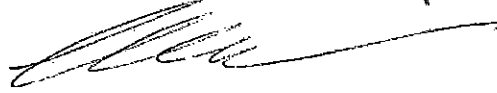
As you know, in 1998, the legislature amended § 24-301.02 to provide for a twelfth judge in our district. For the last 27 years, the County Court of the Fourth Judicial District has efficiently presided over millions of civil, criminal and probate cases. While the caseload and population in our jurisdiction has grown exponentially, we have stayed the course.

We are currently operating with only ten judges. Maintaining the level of accessibility our citizens are accustomed to, and providing the work product they deserve, is simply not sustainable with less than twelve judges. Despite being understaffed, we remain dedicated to providing access to justice. We are committed to serving the lawyers and litigants in our jurisdiction. After consideration, we hope that the Commission will find that providing all court uses in Douglas County equal access to swift, fair justice requires at least twelve judges.



Judge Grant Forsberg and I plan to appear in person for the January 17, 2025 meeting should the Commission have any questions. Thank you in advance for your time and attention to this very important matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Marcela A. Keim', with a long horizontal flourish extending to the right.

MARCELA A. KEIM
Presiding Judge
Douglas County Court

**District Court of the State of Nebraska
Seventh Judicial District**

JAMES G. KUBE, DISTRICT JUDGE

**KIMBERLEY BACHMAN
BAILIFF**

**TRACY KACZOR
COURT REPORTER**

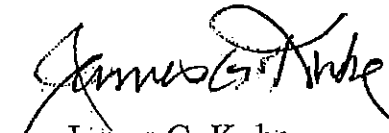
January 3, 2025

Nebraska Judicial Resources Commission
c/o Honorable Jonathan J. Papik
Supreme Court Justice
Room 2218 State Capital
Lincoln, Nebraska 68509

Dear Justice Papik:

Please consider this as my strong recommendation that the Judicial Resources Commission declare that a judicial vacancy exists in the 7th Judicial District for the appointment of a second District Court judge to be installed at your earliest convenience, upon Judge Mark Johnson retiring from his position. From the date that Judge Johnson vacates his position in mid-January, 2025 until a second District Judge gets appointed to fill his position, I will be the sole District Judge handling seven counties in a district which requires at least two judges to handle the historic and current case load which exists. Your immediate attention to this would be greatly appreciated in order to adequately serve the citizens of the 7th Judicial District.

Respectfully,


James G. Kube

Nebraska State Bar Association

"Helping lawyers help people"

January 10, 2025

The Honorable Jonathan J. Papik
Nebraska Supreme Court Justice
State Capitol, #2218
Lincoln, NE 68509

Dear Justice Papik:

On behalf of the NSBA Judicial Resources Committee ("the Committee"), I wish to convey to the members of the Judicial Resources Commission our recommendation regarding the vacancies in the 4th District Court due to the retirement of Judge W. Russell Bowie, the 7th Judicial District Court due to the retirement of Judge Mark A. Johnson and the County Court 4th District due to the retirement of Judge Jeff L. Marcuzzo.

The Committee met on January 10th and weighed a number of factors including caseload, case types and most importantly, access to the trial courts for Nebraska citizens. The members of the Committee also had available the Judicial Weighted Caseload Reports ("Judicial Workload Assessment") which included statistics through FY 2024. Based upon this discussion the Committee concluded that the State's justice system will not have adequate judicial resources available unless the current vacancies are filled expeditiously.

Therefore, the Committee recommends that the current vacancies in the 4th and 7th District Court and the 4th County Court be filled.

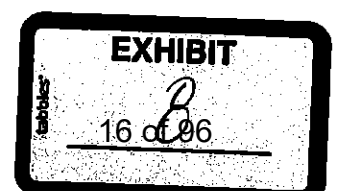
Thank you for your consideration of the recommendations set forth herein. Please include this letter with the materials provided to the members of the Judicial Resources Commission ahead of your January 17th meeting.

Sincerely,



Hon. Tricia A. Freeman
NSBA President

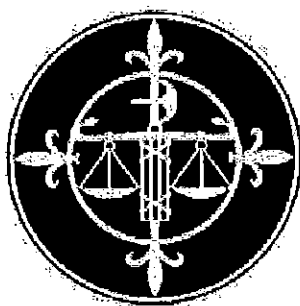
Cc: Corey Steel
Liz Neeley



NEBRASKA JUDICIAL BRANCH

County Courts

Weighted Caseload Report



Fiscal Year 2024

July 1, 2023, to
June 30, 2024



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Weighted Caseload Report

Nebraska County Courts Weighted Caseload Report

Nebraska has a county court in each of its 93 counties, organized into 12 Judicial Districts. Pursuant to Neb. Rev. Stat. § 24-503, the Legislature determines the number of county court judges who serve in each judicial district, and the geographic boundaries of each judicial district. An objective assessment of judicial workload allows informed decisions about district boundaries and the number of judges needed to timely resolve the cases in each judicial district.

To assist in evaluating judicial workloads, Neb. Rev. Stat. § 24-1007(1) requires the Nebraska Administrative Office of the Courts and Probation (AOCB) to compile judicial workload statistics based on caseload numbers weighted by category of case. These weighted caseload statistics are used by the Judicial Branch, the Judicial Resources Commission, and the Legislature to evaluate judicial need, and guide decisions and recommendations on how best to allocate judicial resources across the state.

To ensure the validity, uniformity and accuracy of the AOCB's judicial workload statistics, a statewide judicial time study was conducted in 2019-2020 under the direction and leadership of the National Center for State Courts. For a full description of the judicial time study and the recommended weighting methodology and standards, see *Nebraska Judicial Workload Assessment Final Report* (October 2020) on the Nebraska Supreme Court Website. Because this Weighted Caseload Report utilizes the methodology and standards from the 2020 workload assessment, direct comparison to archived reports is not recommended.

No quantitative judicial workload assessment method, including the weighted caseload method, can determine the exact number of judges needed within each court. For example, judges may be asked to assist non-home districts to ensure speedy trials for all involved and that one district is not unduly overburdened. **To address this challenge, the Research and Data Team have added an asterisk next to the name of the judges that provided judicial assistance in the last fiscal year (FY 2024) to other districts.**

Weighted caseload statistics approximate the number of judges needed to handle the current caseload based upon the calculations of a three-year rolling average of case filing data. Therefore, when weighted caseload statistics are examined in conjunction with other compelling and critical metrics, they provide a vital part of an objective and standardized assessment of judicial needs and the fair allocation of judicial resources across juvenile courts in the State of Nebraska.



Corey R. Steel

Nebraska State Court Administrator

Nebraska Supreme Court

Administrative Office of the Courts & Probation

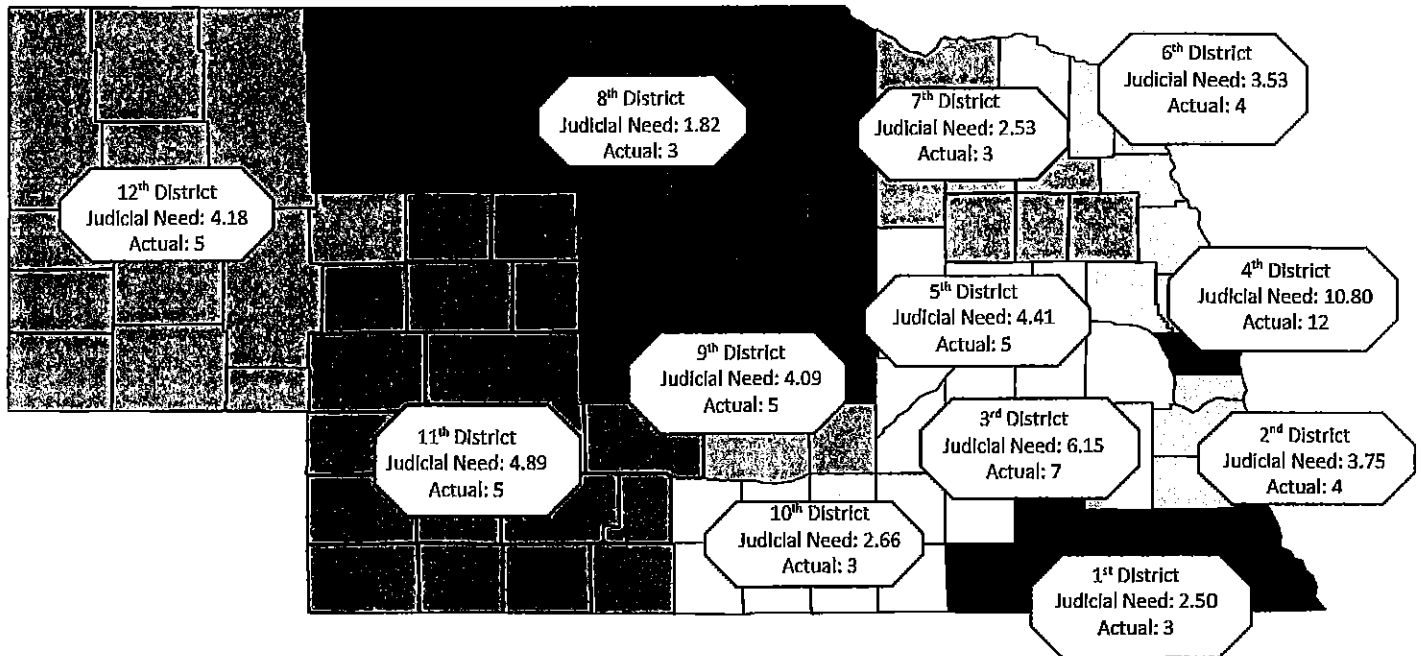
Rm. 1211 State Capitol | P.O. Box 98910 | Lincoln, NE 68509

T 402.471.3730 | F 402.471.2197

www.supremecourt.nebraska.gov

Weighted Caseload Report

Nebraska County Court Judicial Needs Fiscal Year 2024 (July 1, 2023 – June 30, 2024)



Note: Differences between the total District Court Need for Judges and the sum of individual counties is due to rounding to the nearest one-hundredth.

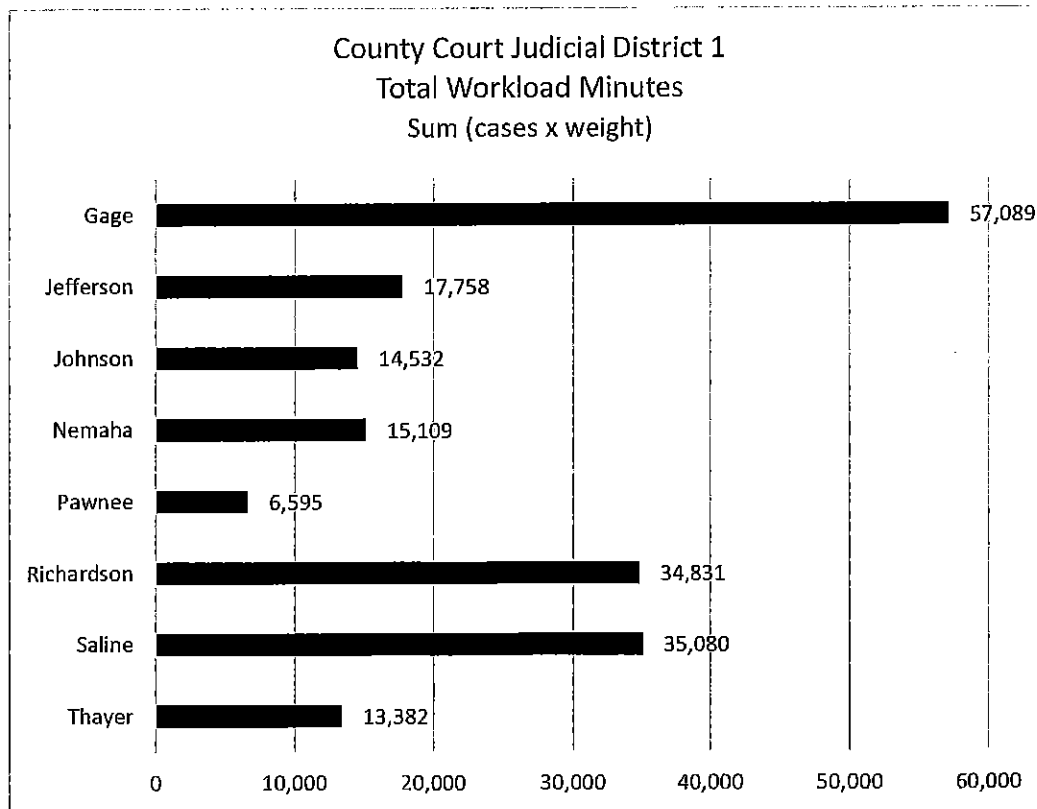
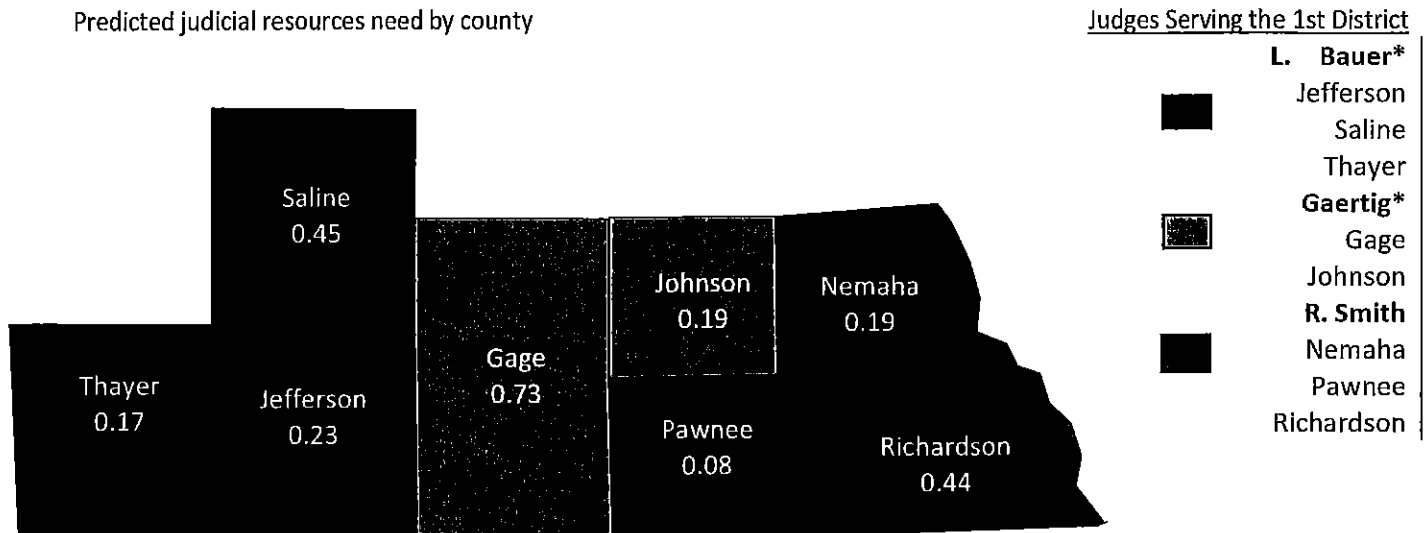
Weighted Caseload Report

1st Judicial District – County Court

County court need for judges: 2.50
 Current number of judges: 3
 Workload per judge: 0.83

NOTE: An additional **0.02** is given due to Judge R. Smith being assigned to Problem-Solving Court cases in Fillmore County (District Court) and Otoe County (District Court).

Predicted judicial resources need by county

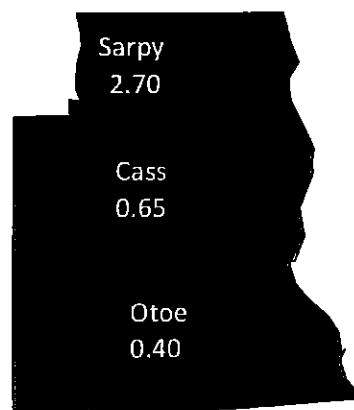


Weighted Caseload Report

2nd Judicial District – County Court

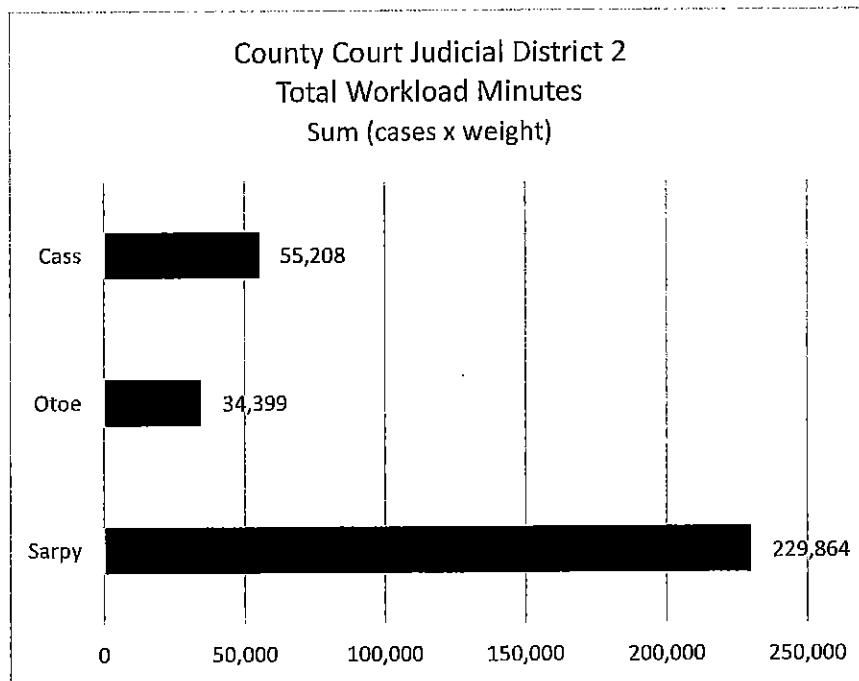
County court need for judges: 3.75
 Current number of judges: 4
 Workload per judge: 0.94

Predicted judicial resources need by county



Judges Serving the 2nd District

	Freeman*
	Sarpy
	Hutton
	Sarpy
	Palm*
	Sarpy
	Partsch*
	Cass
	Otoe



Weighted Caseload Report

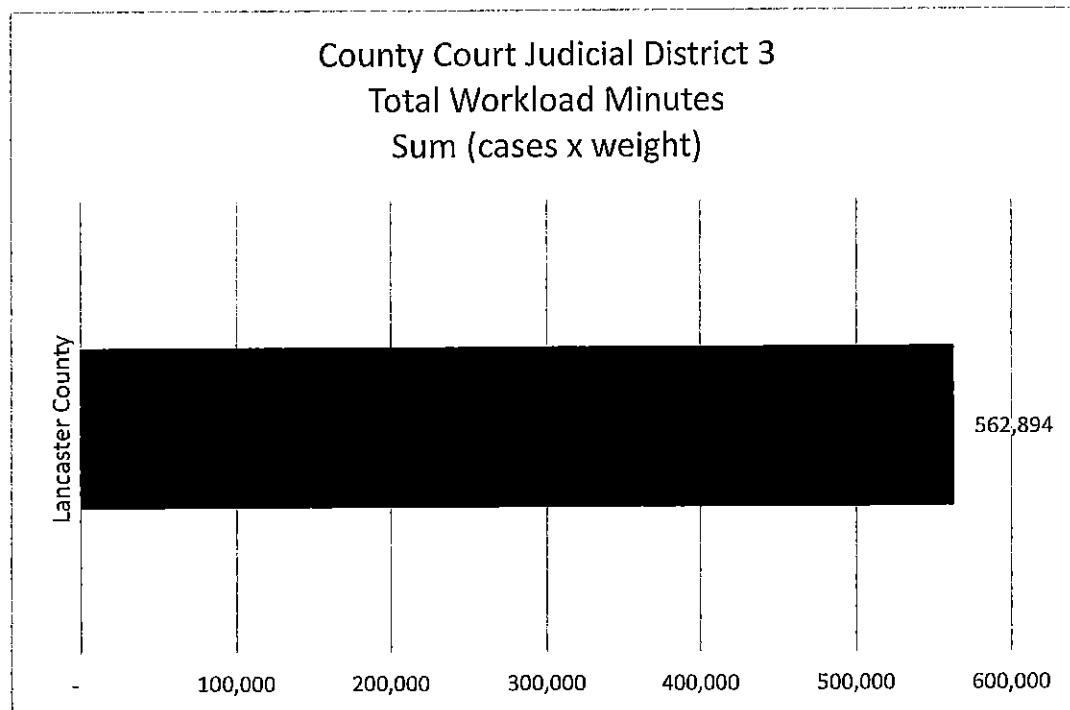
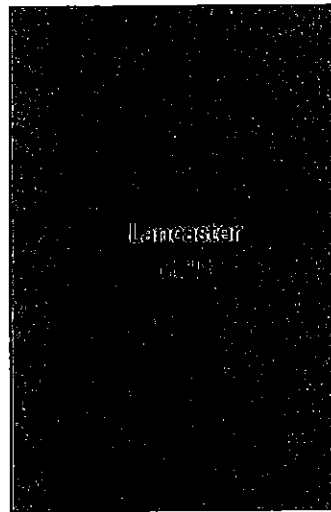
3rd Judicial District –County Court

County court need for judges: 6.15
 Current number of judges: 7
 Workload per judge: 0.88

Predicted judicial resources need by county

Judges Serving the 3rd District

Acton*
 Dalton*
 Parsley*
 Phillips
 Reuter*
 Yardley*
 Zimmerman*



Weighted Caseload Report

4th Judicial District –County Court

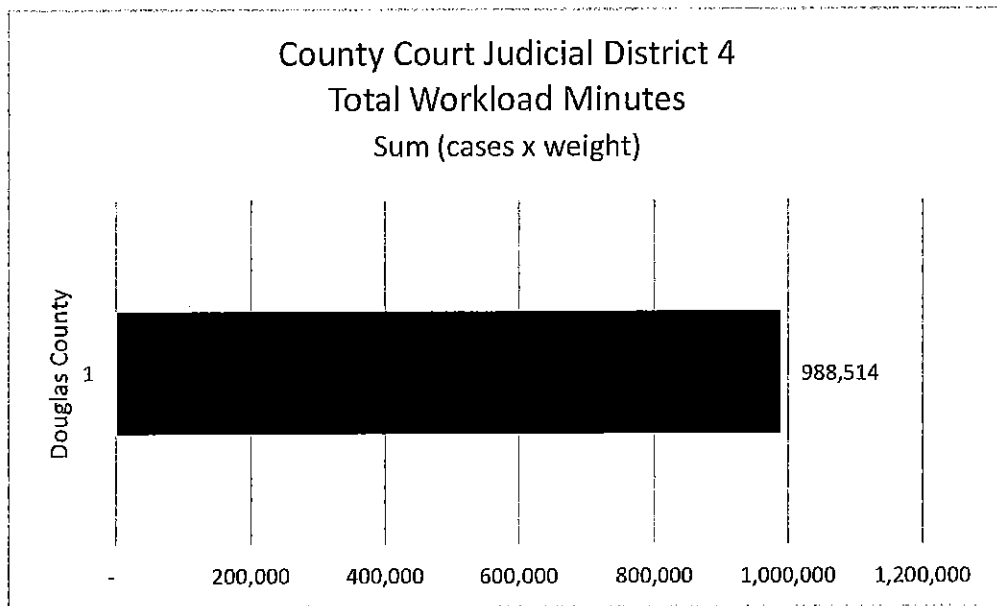
County court need for judges: 10.80
 Current number of judges: 12
 Workload per judge: 0.90

Predicted judicial resources need by county

Judges Serving the 4th District



Finley
 Forsberg*
 Hansen
 Harmon
 Hendrix
 Huber
 Keim
 Lohaus*
 Lowe
 Marcuzzo
 McDermott
 Shearer*

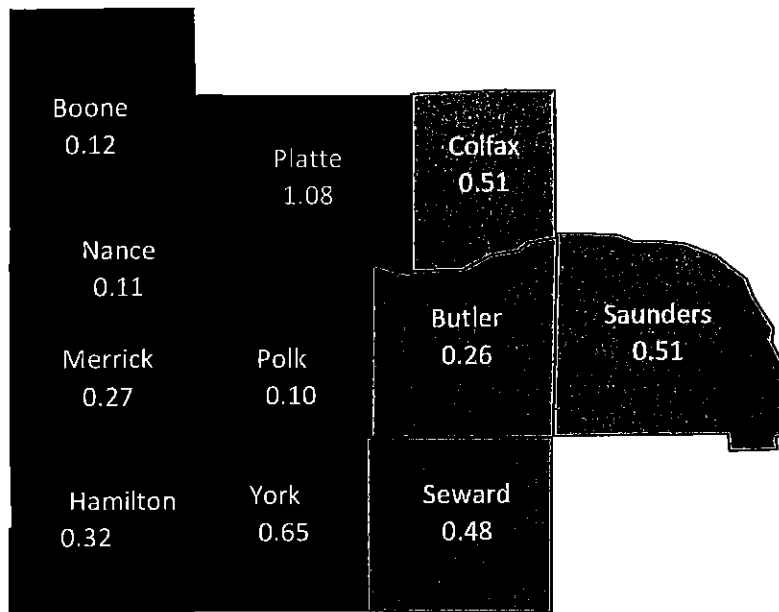


Weighted Caseload Report

5th Judicial District - County Court

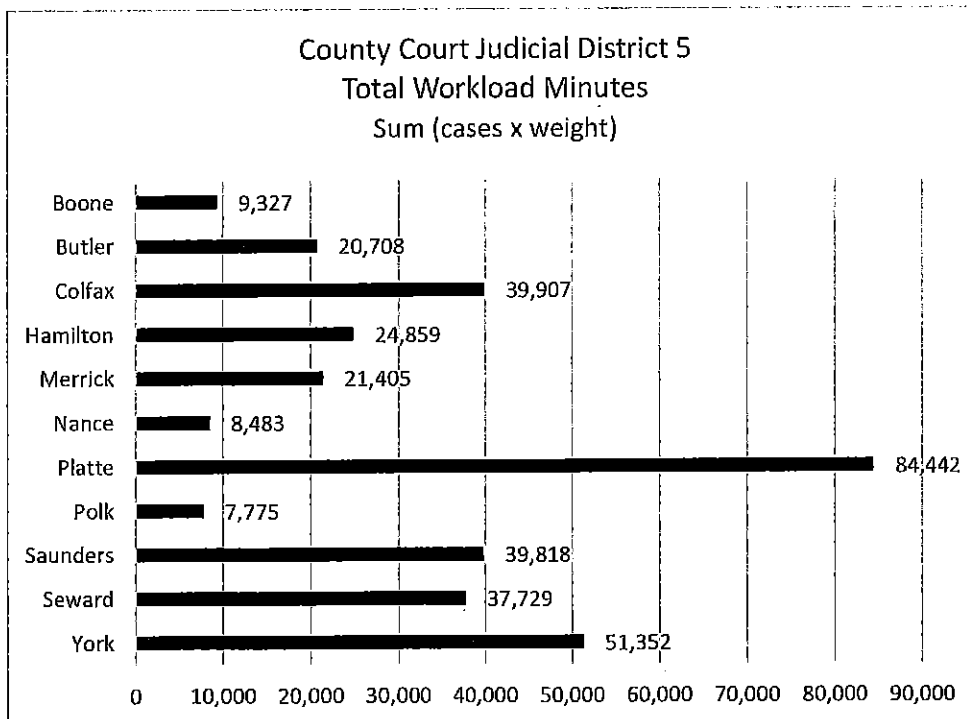
County court need for judges: 4.41
 Current number of judges: 5
 Workload per judge: 0.88

Predicted judicial resources need by county



Judges Serving the 5th District

- Homolka***
- Hamilton
- York
- Lange***
- Colfax
- Saunders
- Kracl**
- Platte
- Petersen***
- Butler
- Seward
- Conflict Cases in Saunders
- Twiss***
- Boone
- Merrick
- Nance
- Polk

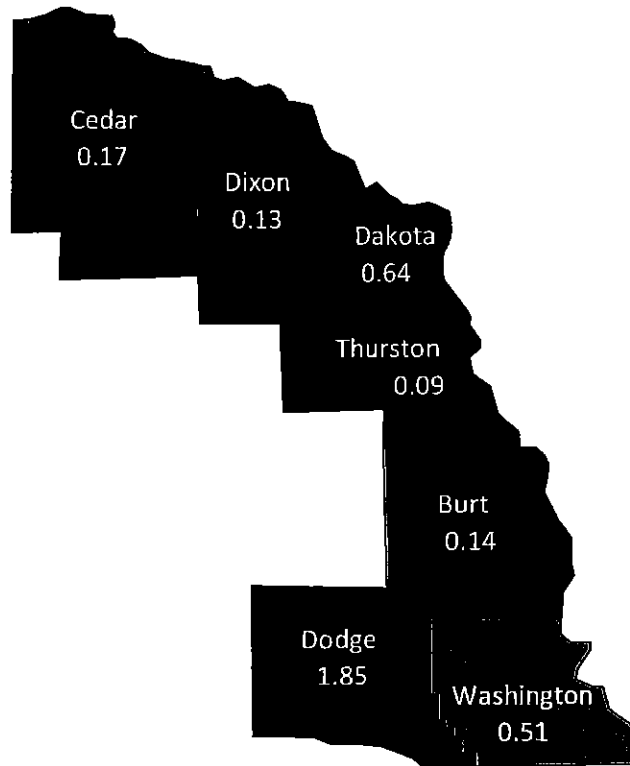


Weighted Caseload Report

6th Judicial District – County Court

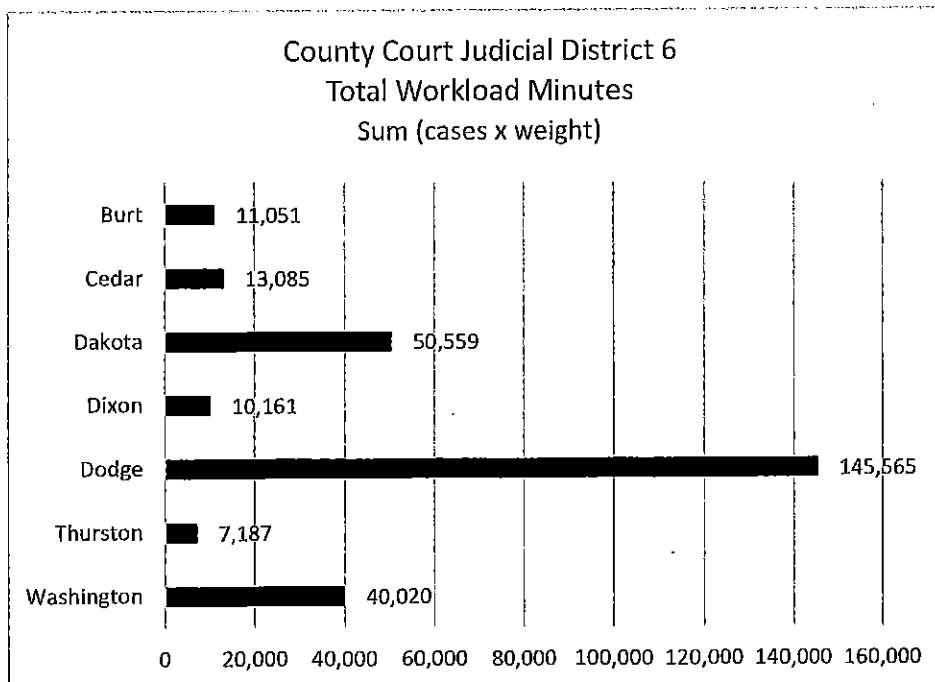
County court need for judges: 3.53
 Current number of judges: 4
 Workload per judge: 0.88

Predicted judicial resources need by county



Judges Serving the 6th District

	Barron
	Dodge
	Washington
	S. Bauer
	Cedar
	Dixon
	Thurston
	Klein*
	Dodge
	Matney
	Burt
	Dakota

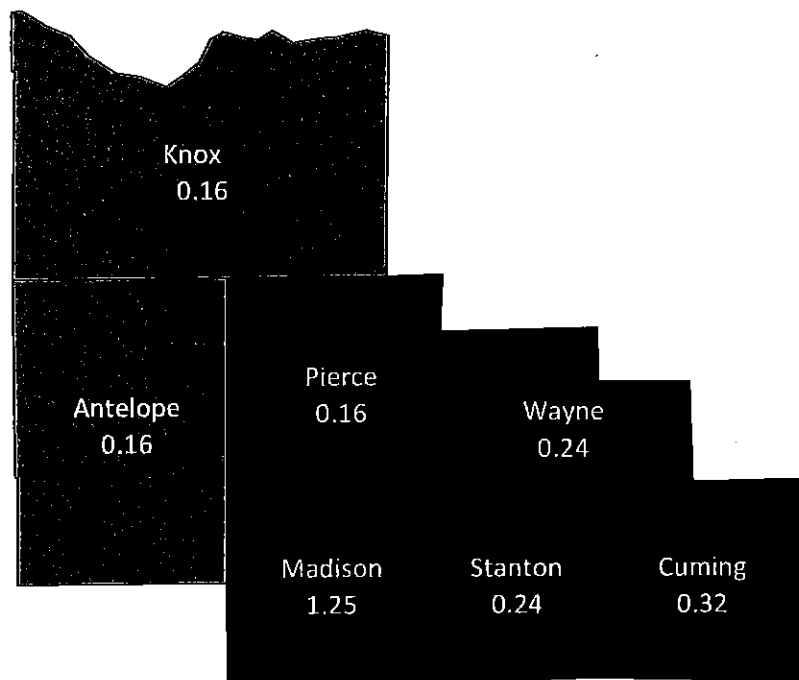


Weighted Caseload Report

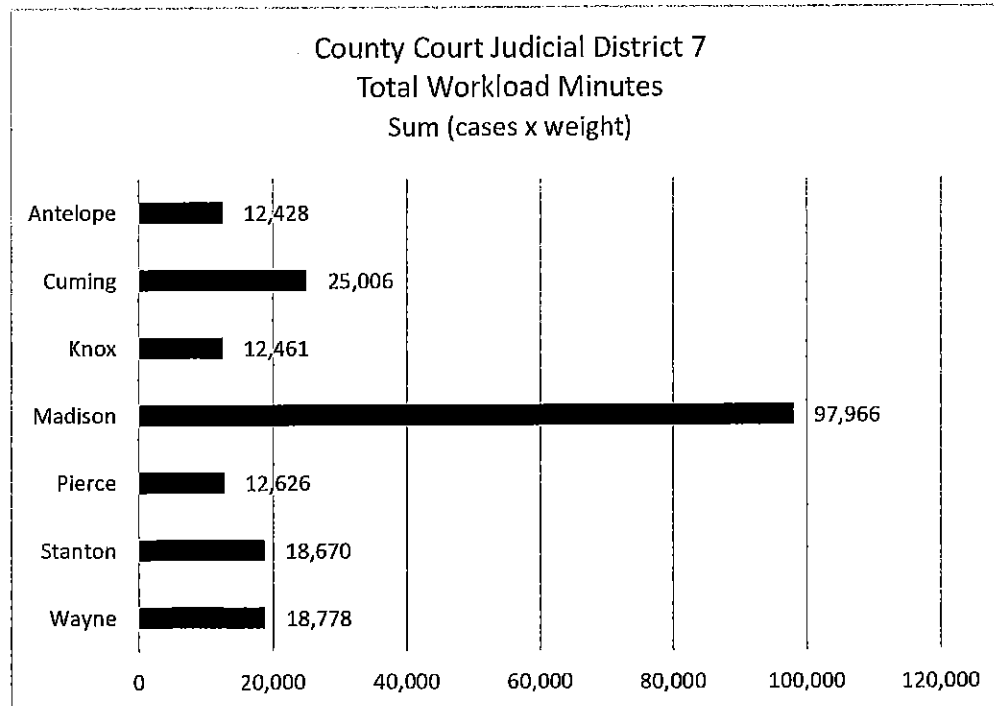
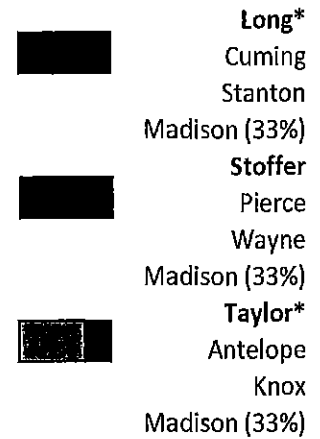
7th Judicial District – County Court

County court need for judges: 2.53
 Current number of judges: 3
 Workload per judge: 0.84

Predicted judicial resources need by county



Judges Serving the 7th District



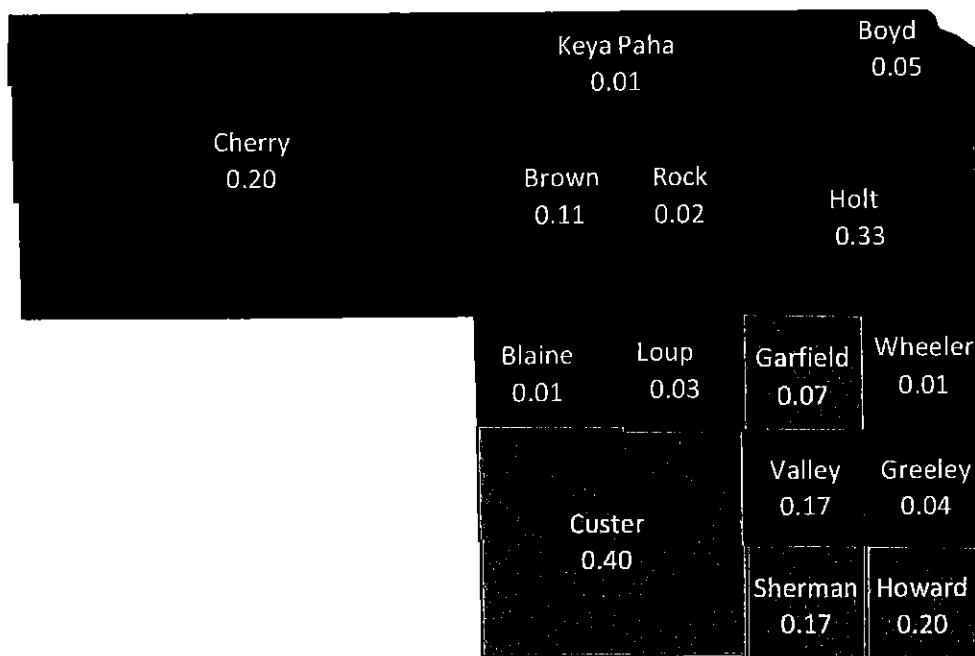
Weighted Caseload Report

8th Judicial District – County Court

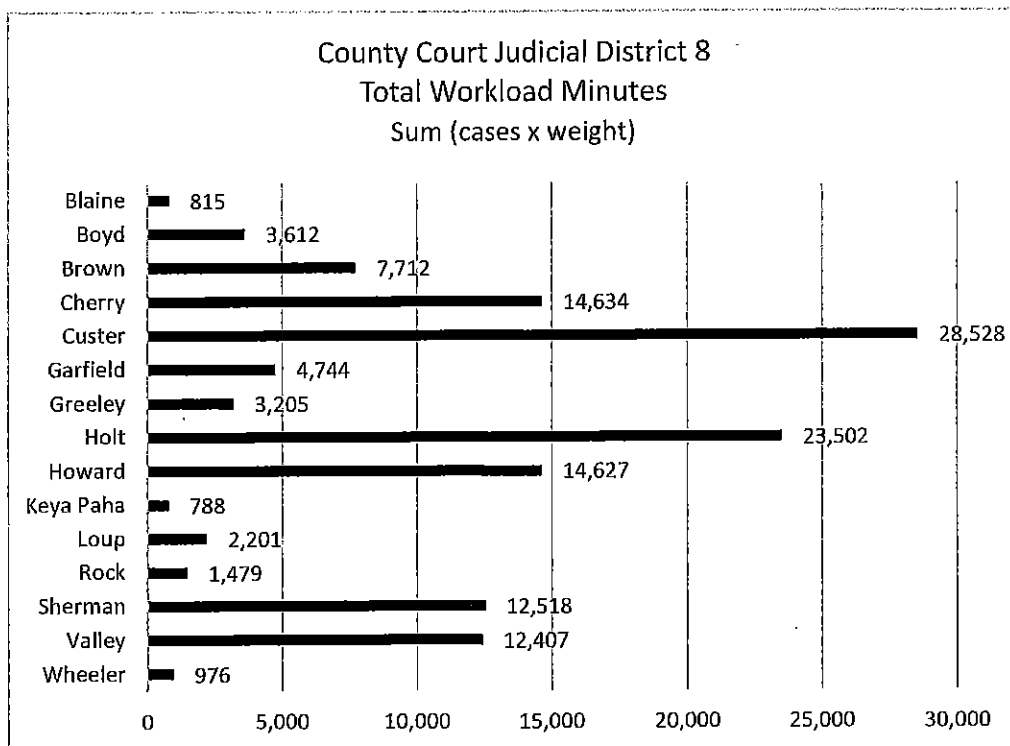
County court need for judges: 1.82
 Current number of judges: 3
 Workload per judge: 0.61

Predicted judicial resources need by county

Judges Serving the 8th District



Burdick*
 Boyd
 Greeley
 Holt
 Valley
 Wheeler
Orr
 Blaine
 Brown
 Cherry
 Keya Paha
 Loup
 Rock
Schendt*
 Custer
 Garfield
 Howard
 Sherman

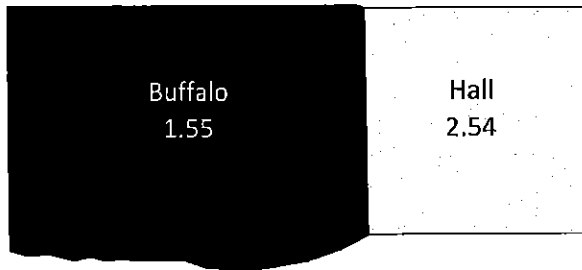


Weighted Caseload Report












9th Judicial District – County Court

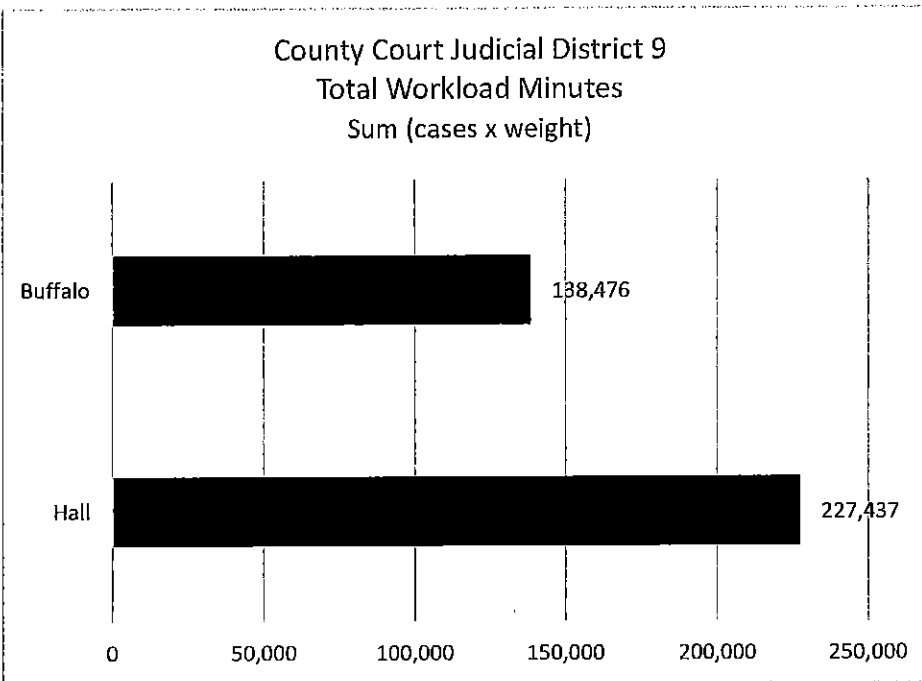
County court need for judges: 4.09
 Current number of judges: 5
 Workload per judge: 0.82

Predicted judicial resources need by county



Judges Serving the 9th District

	Corey*
	Hall
	Jorgensen
	Buffalo
	McQuay
	Hall
	Rademacher*
	Buffalo
	Hall
	Wetzel
	Hall

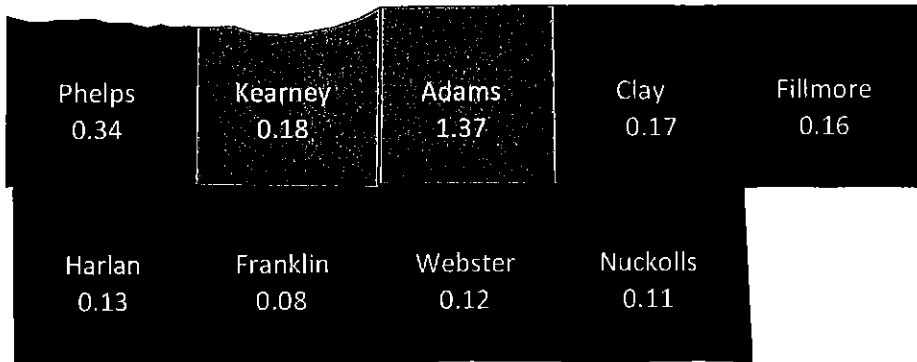


Weighted Caseload Report

10th Judicial District – County Court

County court need for judges: 2.66
 Current number of judges: 3
 Workload per judge: 0.89

Predicted judicial resources need by county



Judges Serving the 10th District

Burns*

Adams (38%)
 Clay (90%)
 Fillmore (90%)
 Nuckolls (86%)

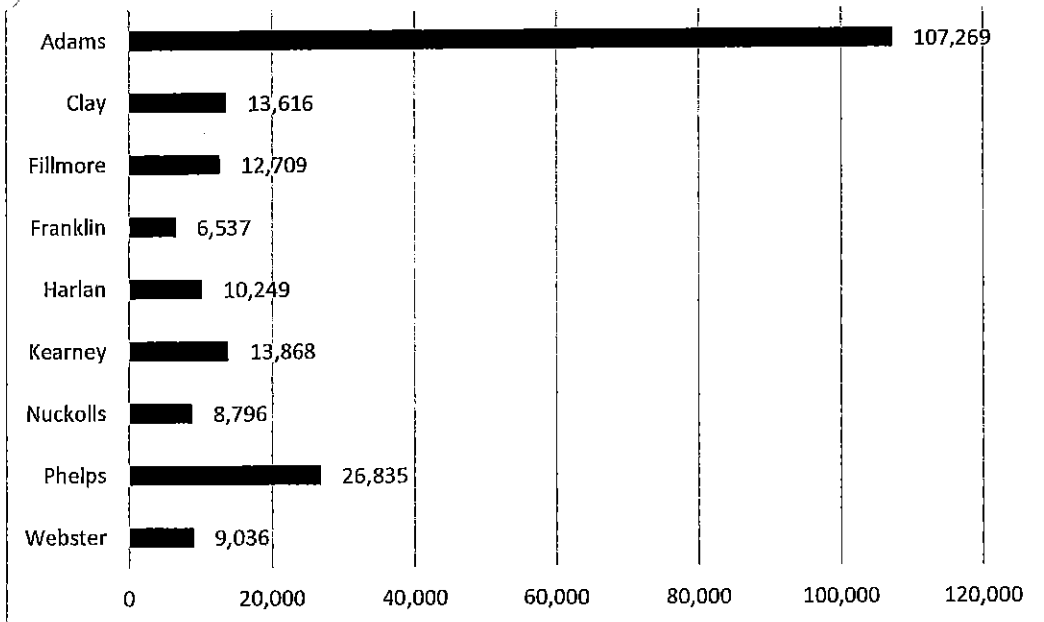
Hoelt*

Adams (24%)
 Franklin (50%)
 Harlan (100%)
 Kearney (54%)
 Phelps (75%)
 Webster (48%)

Mead*

Adams (38%)
 Clay (10%)
 Fillmore (10%)
 Franklin (50%)
 Kearney (46%)
 Nuckolls (14%)
 Phelps (25%)
 Webster (52%)

County Court Judicial District 10
 Total Workload Minutes
 Sum (cases x weight)

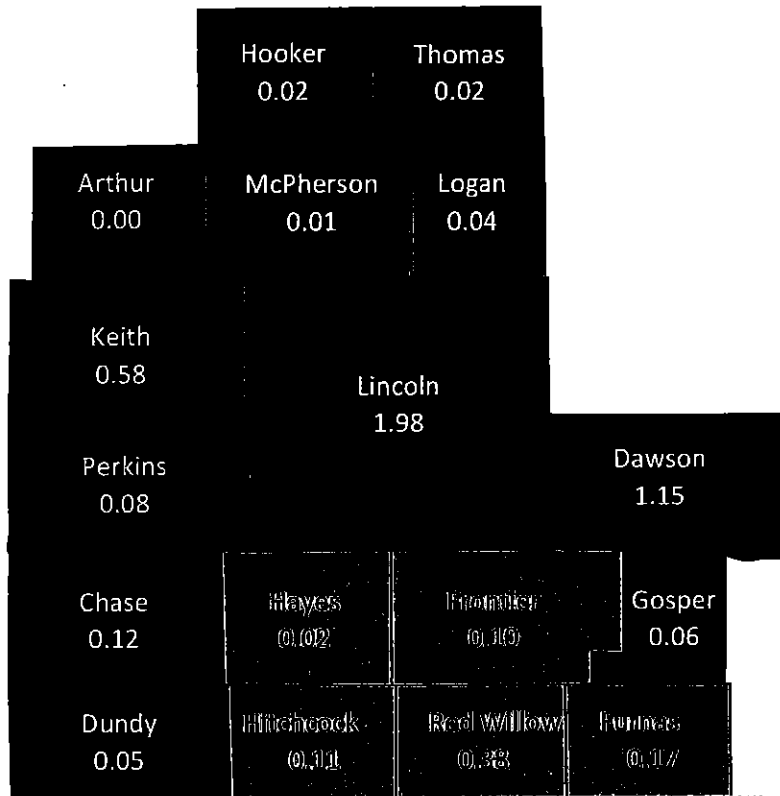


Weighted Caseload Report

11th Judicial District – County Court

County court need for judges: 4.89
 Current number of judges: 5
 Workload per judge: 0.98

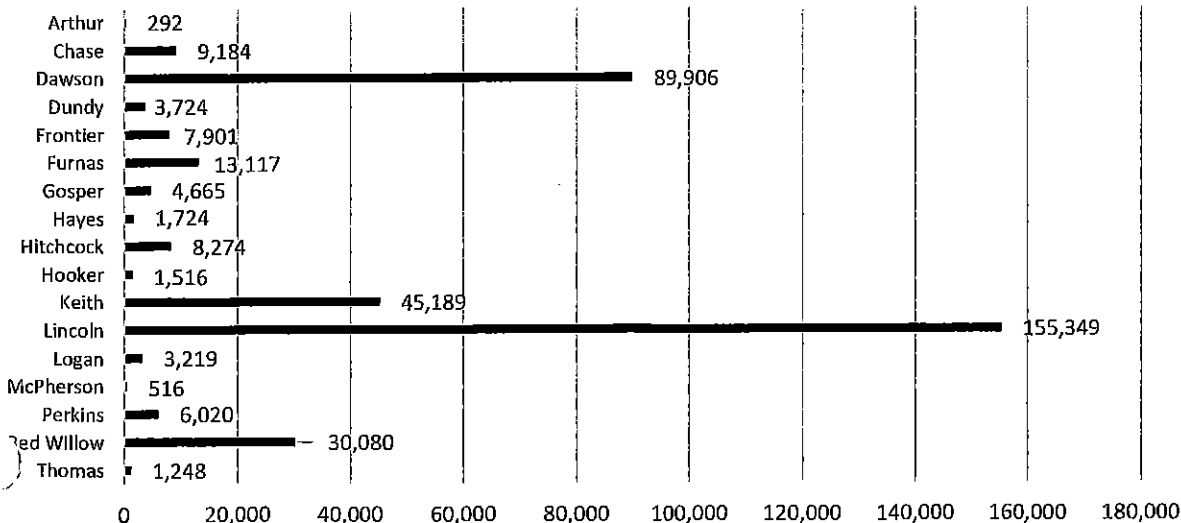
Predicted judicial resources need by county



Judges Serving the 11th District

- Jay*
- Hooker
- Lincoln
- Logan
- McPherson
- Thomas
- Conflict Cases in Keith
- Paine*
- Frontier
- Furnas
- Hayes
- Hitchcock
- Red Willow
- Conflict Cases in Dawson
- Roberts-Connick
- Lincoln
- Conflict Cases in Dawson
- Steenburg
- Arthur
- Chase
- Dundy
- Keith
- Perkins
- Wightman*
- Dawson
- Gosper

County Court Judicial District 11
 Total Workload Minutes
 Sum (cases x weight)

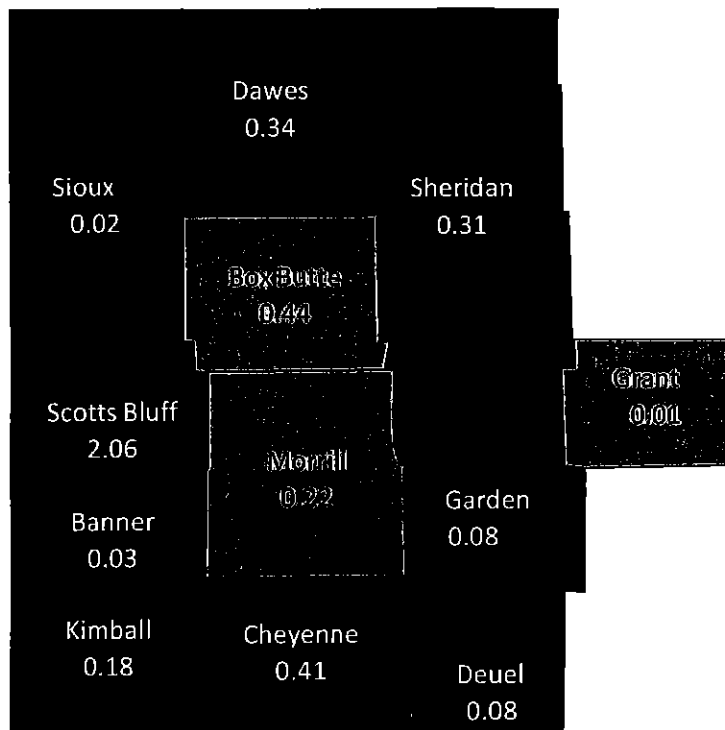


Weighted Caseload Report

12th Judicial District – County Court

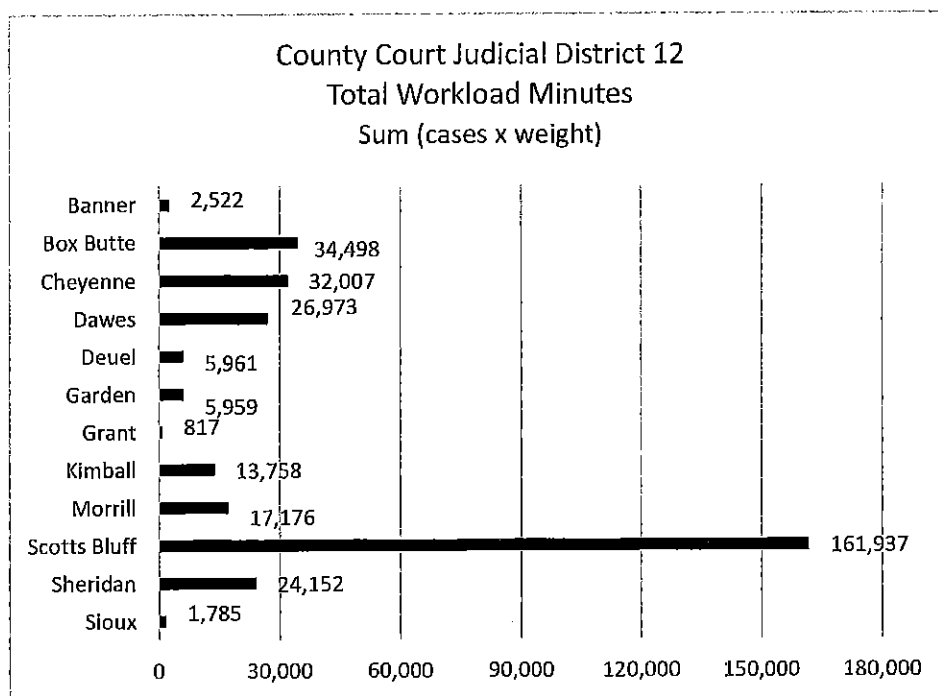
County court need for judges: 4.18
 Current number of judges: 5
 Workload per judge: 0.84

Predicted judicial resources need by county



Judges Serving the 12th District

	Conn
	Dawes
	Sheridan
	Sioux
	Mickey*
	Banner
	Scotts Bluff
	Roland*
	Cheyenne
	Deuel
	Garden
	Kimball
	Wess
	Box Butte
	Grant
	Morrill
	Sheridan
	Worden
	Banner
	Scotts Bluff



Weighted Caseload Report

Court Case Type Categories and Weights – Appendix

District Court Case Types	2021 Case Weight (minutes)
Problem Solving Court Cases	683
Protection Orders	32
Civil	219
Class I Felony	367
Other Criminal	149
Domestic Relations	97
Appeals	343
Administrative Appeals	540
County Court Case Types	2021 Case Weight (minutes)
Protection Orders	32
Felony	26
Misdemeanor	23
District Court: Adult Problem-Solving Court	683
Traffic	1
Civil	8
Probate	61
Guardianship/Conservatorship	133
Small Claims	30
Adoption	92
Domestic Relations	97
Juvenile: 3A Children	487
Juvenile: Delinquency	100
Juvenile: Status Offender 3B	37
Juvenile: Mentally Ill and Dangerous 3C	265
Juvenile: Bridge to Independence (B21)	58
Juvenile: Interstate Compact Hearings/Filings	2
Juvenile: Problem-Solving Court Cases	654
Separate Juvenile Court Case Types	2021 Case Weight (minutes)
Adoption	49
Domestic Relations	26
Juvenile: 3A Children	487
Delinquency	136
Status Offender 3B	54
Mentally Ill and Dangerous 3C	265
Bridge to Independence B21	36
Interstate Compact Hearing/Filings	2
Problem Solving Court Cases	654



Research and Data

Operations Division

Administrative Office of the Courts & Probation

Chief Standing Bear Justice Administration Building

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NEBRASKA JUDICIAL BRANCH

District Courts

Weighted Caseload Report

Fiscal Year 2024

July 1, 2023 to
June 30, 2024



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7 th Judicial District.....	9
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9 th Judicial District.....	11
10 th Judicial District	12
11 th Judicial District	13
12 th Judicial District	14
Court Case Type Categories and Weights - Appendix.....	15

Weighted Caseload Report

Nebraska District Courts Weighted Caseload Report

Nebraska has a district court in each of its 93 counties, organized into 12 Judicial Districts. Pursuant to Neb. Rev. Stat. § 24-301.02, the Legislature determines the number of district court judges who serve in each judicial district, and the geographic boundaries of each judicial district. An objective assessment of judicial workload allows informed decisions about district boundaries and the number of judges needed to timely resolve the cases in each judicial district.

To assist in evaluating judicial workloads, Neb. Rev. Stat. § 24-1007(1) requires the Nebraska Administrative Office of the Courts and Probation (AOCB) to compile judicial workload statistics based on caseload numbers weighted by category of case. These weighted caseload statistics are used by the Judicial Branch, the Judicial Resources Commission, and the Legislature to evaluate judicial need, and guide decisions and recommendations on how best to allocate judicial resources across the state.

To ensure the validity, uniformity and accuracy of the AOCB's judicial workload statistics, a statewide judicial time study was conducted in 2019-2020 under the direction and leadership of the National Center for State Courts. For a full description of the judicial time study and the recommended weighting methodology and standards, see *Nebraska Judicial Workload Assessment Final Report* (October 2020) on the Nebraska Supreme Court Website. Because this Weighted Caseload Report utilizes the methodology and standards from the 2020 workload assessment, direct comparison to archived reports is not recommended.

No quantitative judicial workload assessment method, including the weighted caseload method, can determine the exact number of judges needed within each court. For example, judges may be asked to assist non-home districts to ensure speedy trials for all involved and that one district is not unduly overburdened. **To address this challenge, the Research and Data Team have added an asterisk next to the name of the judges that provided judicial assistance in the last fiscal year (FY 2024) to other districts.**

Weighted caseload statistics approximate the number of judges needed to handle the current caseload based upon the calculations of a three-year rolling average of case filing data. Therefore, when weighted caseload statistics are examined in conjunction with other compelling and critical metrics, they provide a vital part of an objective and standardized assessment of judicial needs and the fair allocation of judicial resources across juvenile courts in the State of Nebraska.



Corey R. Steel | State Court Administrator

Nebraska Supreme Court

Administrative Office of the Courts & Probation

Rm. 1211 State Capitol | P.O. Box 98910 | Lincoln, NE 68509

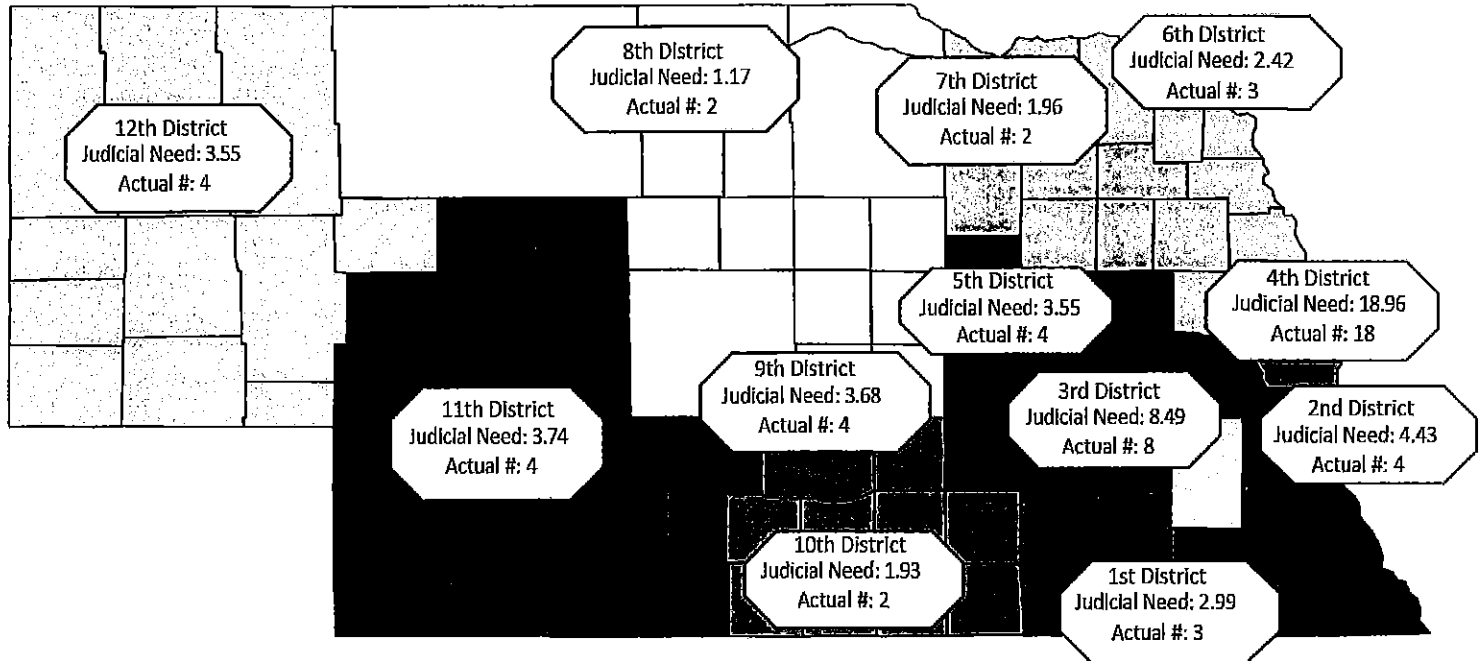
T 402.471.3730 | F 402.471.2197

www.supremecourt.nebraska.gov

Weighted Caseload Report

Nebraska District Court Judicial Needs

Fiscal Year 2024 (July 1, 2023 – June 30, 2024)



Note: Differences between the total District Court Need for Judges and the sum of individual counties is due to rounding to the nearest one-hundredth.

Weighted Caseload Report

1st Judicial District – District Court

District court need for judges: 2.99

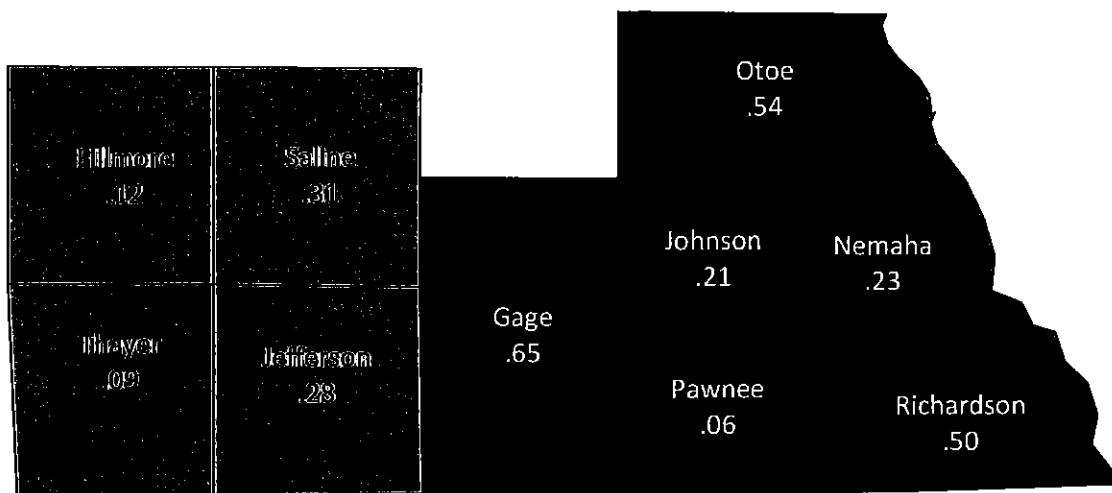
Current number of judges: 3

Workload per judge: 1.00

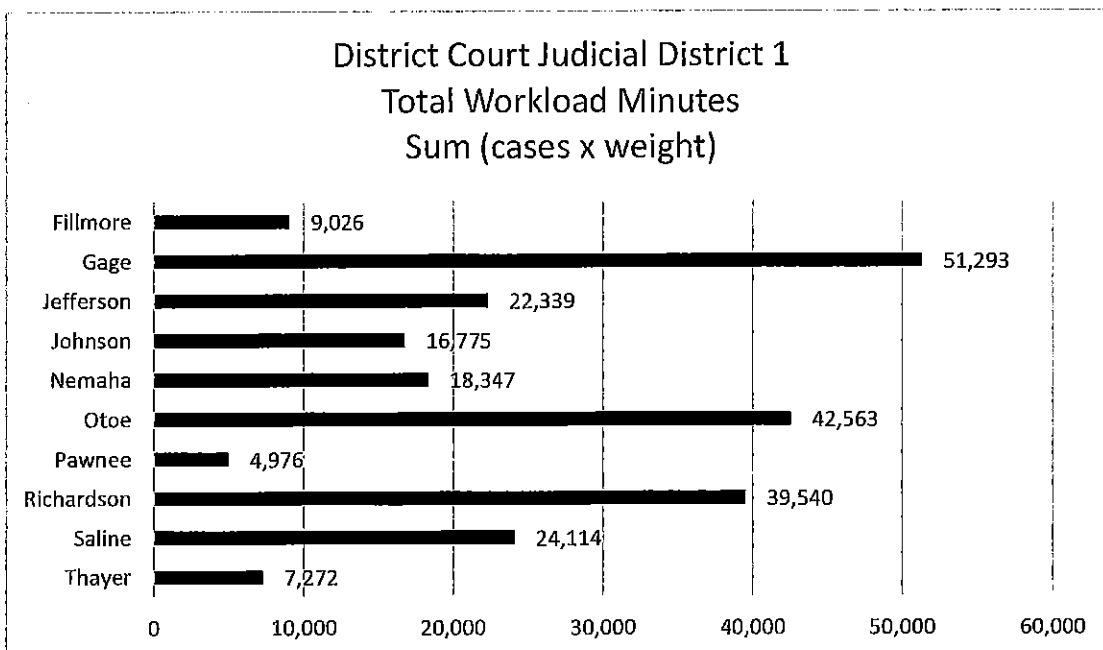
Notre: Judge Schreiner helps Judge Smith in Nemaha County as Needed

Predicted judicial resources need by county

Judges Serving the 1st District



- Borgen***
 - Fillmore
 - Jefferson
 - Johnson
 - Saline
 - Thayer
- Schreiner***
 - Gage
 - Johnson
 - Pawnee
- J. Smith***
 - Nemaha
 - Otoe
 - Richardson

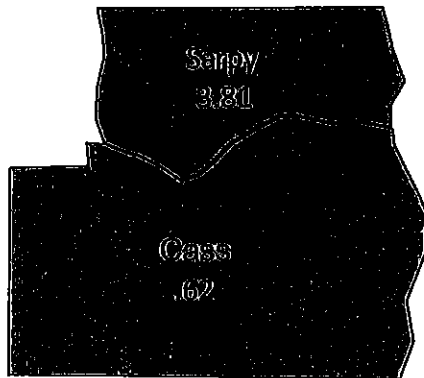


Weighted Caseload Report





2nd Judicial District – District Court

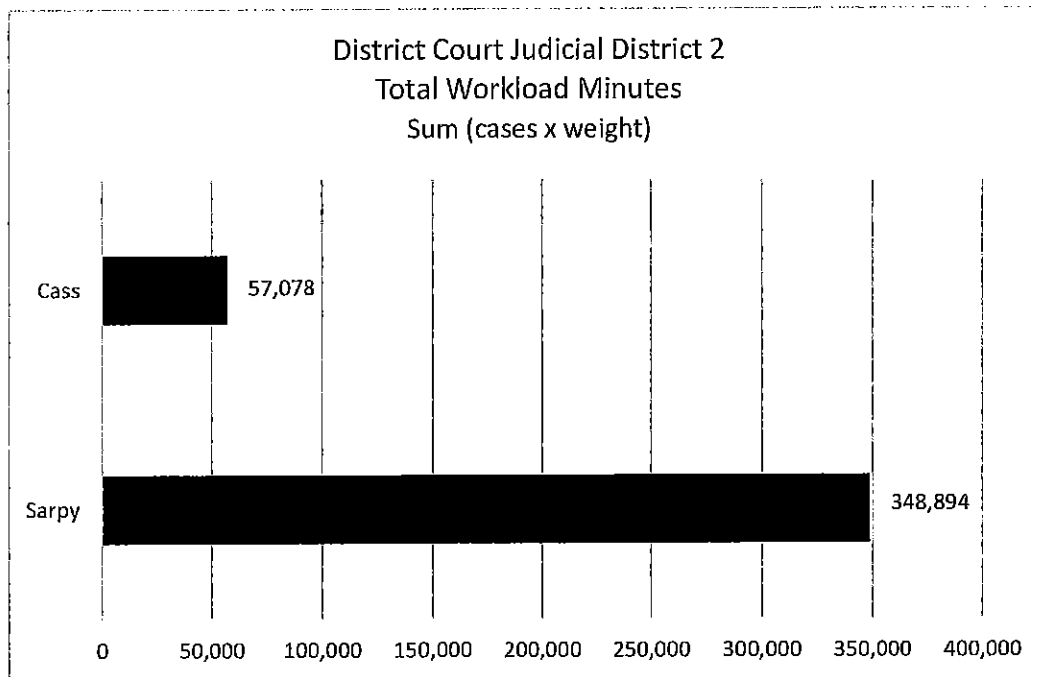
District court need for judges: 4.43
 Current number of judges: 4
 Workload per judge: 1.11

Predicted judicial resources need by county



Judges Serving the 2nd District

	Cox*
	Sarpy
	Martinez*
	Sarpy
	M. Smith*
	Cass
	Thompson*
	Sarpy

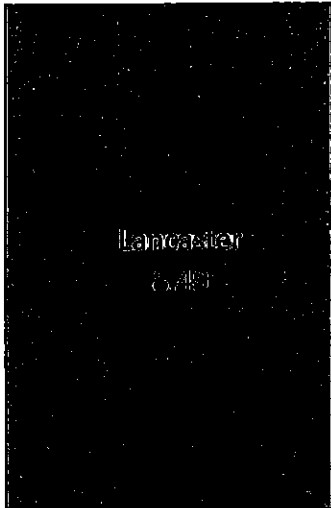


Weighted Caseload Report

3rd Judicial District – District Court

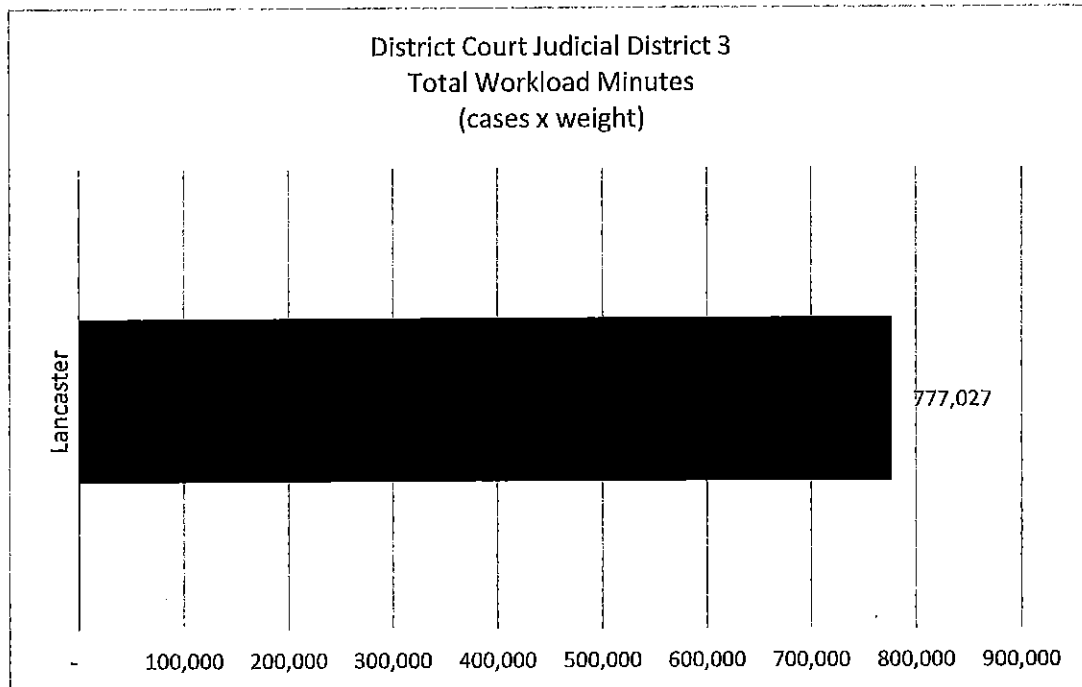
District court need for judges: 8.49
Current number of judges: 8
Workload per judge: 1.06

Predicted judicial resources need by county



Judges Serving the 3rd District

Ideus*
Jacobsen*
Maret
McManaman
Nelson
Mellor*
Post*
Strong*



Weighted Caseload Report

4th Judicial District – District Court

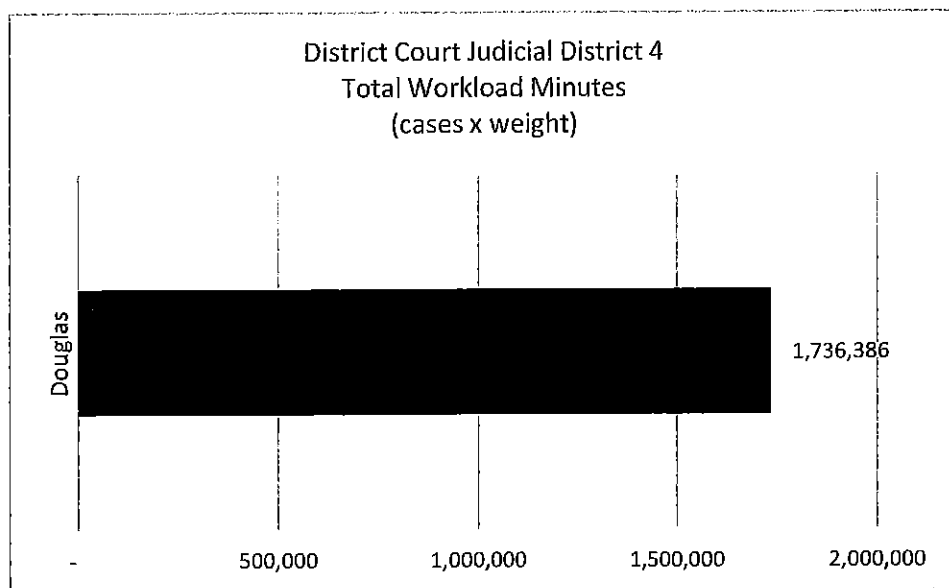
District court need for judges: 18.96
 Current number of judges: 18
 Workload per judge: 1.05

Predicted judicial resources need by county



Judges Serving the 4th District

Alioth*
 Bataillon*
 Benson*
 Bowie*
 Burns*
 Derr*
 Dougherty*
 Engleman*
 Keane*
 Lux*
 Masteller*
 Miller Pankonin
 Polk
 Retelsdorf
 Srb*
 Stratman
 Vaughn*
 Wheelock

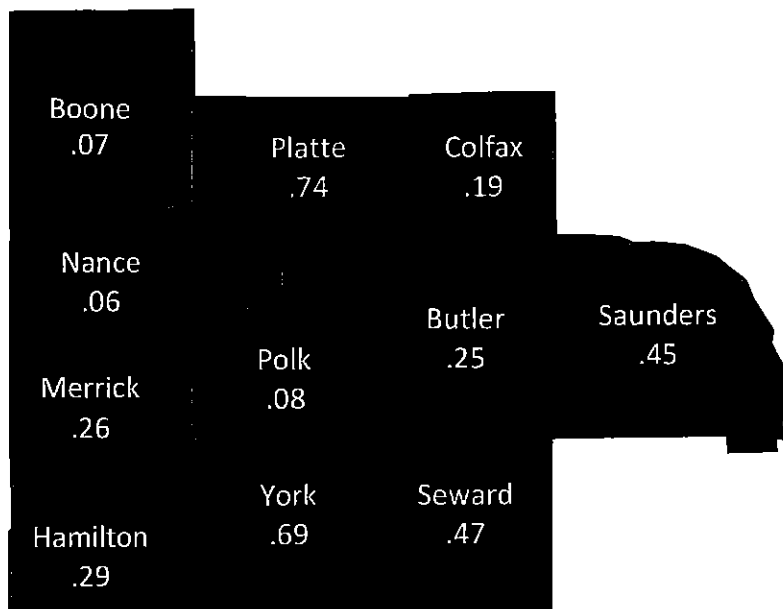


Weighted Caseload Report

5th Judicial District - District Court

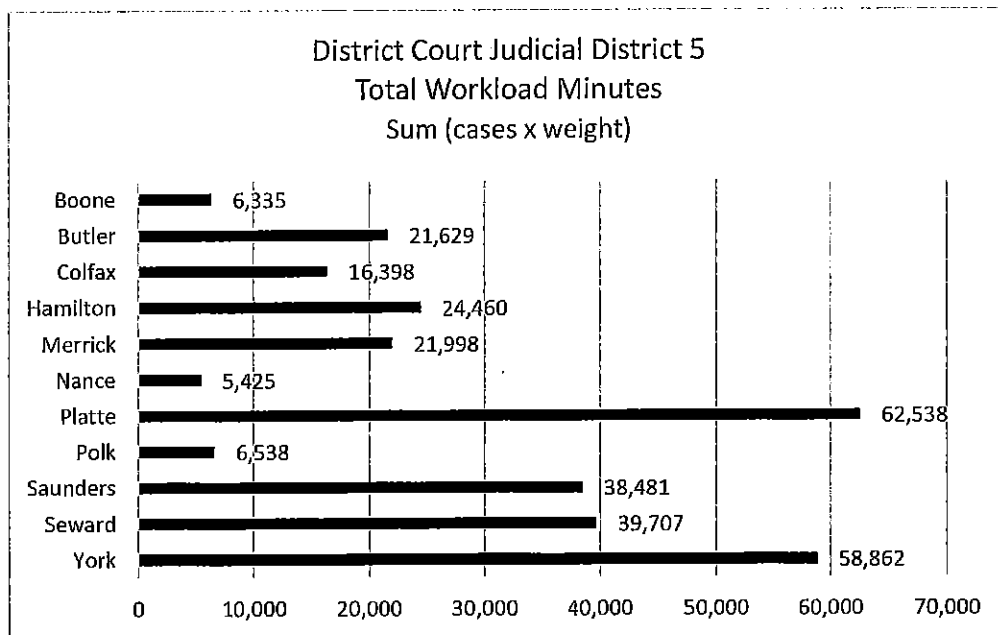
District court need for judges: 3.55
 Current number of judges: 4
 Workload per judge: 0.89

Predicted judicial resources need by county



Judges Serving the 5th District

- Bergevin***
- Platte
- Daugherty***
- Boone
- Hamilton
- Merrick
- Nance
- Polk
- Marroquin***
- Butler
- Colfax
- Saunders
- Stecker***
- Seward
- York

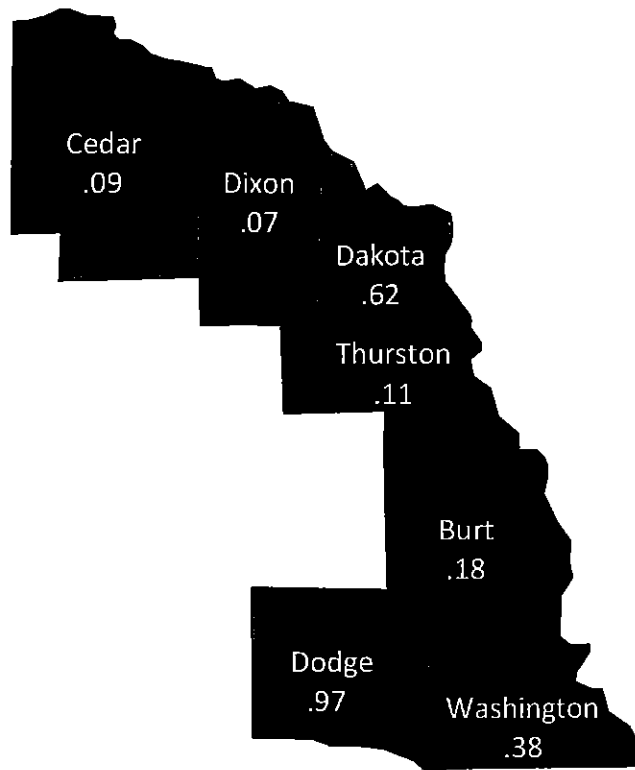


Weighted Caseload Report

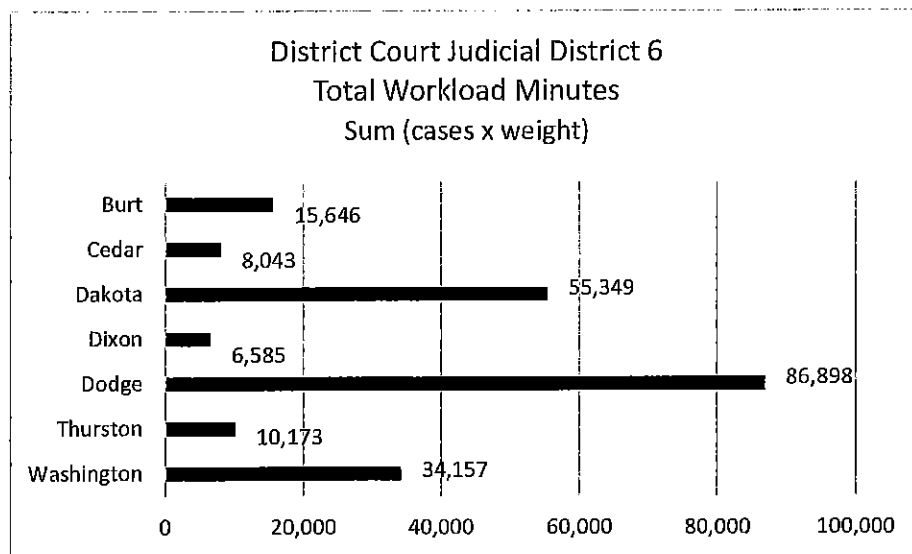
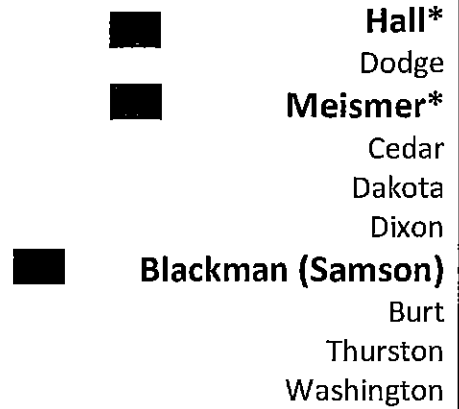
6th Judicial District – District Court

District court need for judges: 2.42
 Current number of judges: 3
 Workload per judge: 0.81

Predicted judicial resources need by county



Judges Serving the 6th District

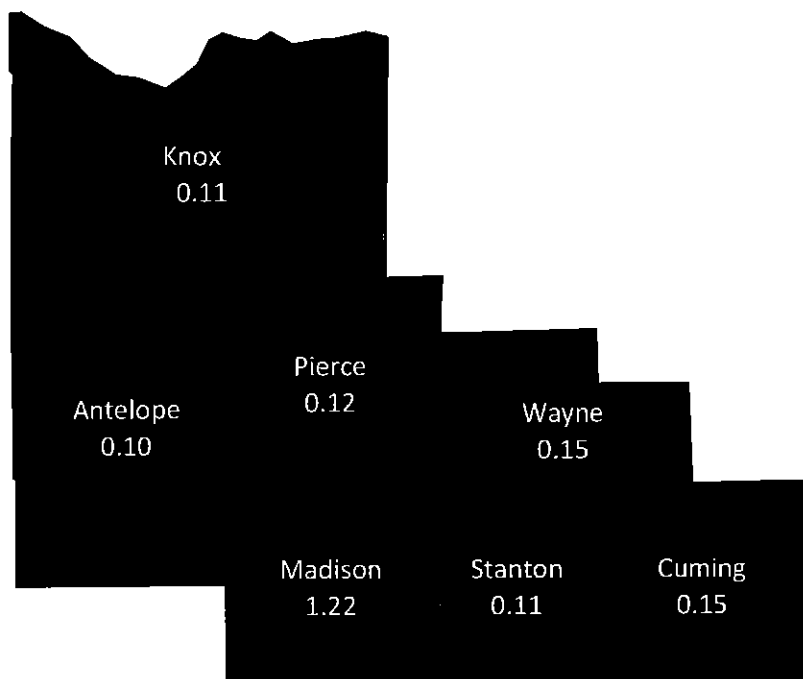


Weighted Caseload Report

7th Judicial District – District Court

District court need for judges: 1.96
 Current number of judges: 2
 Workload per judge: 0.98

Predicted judicial resources need by county



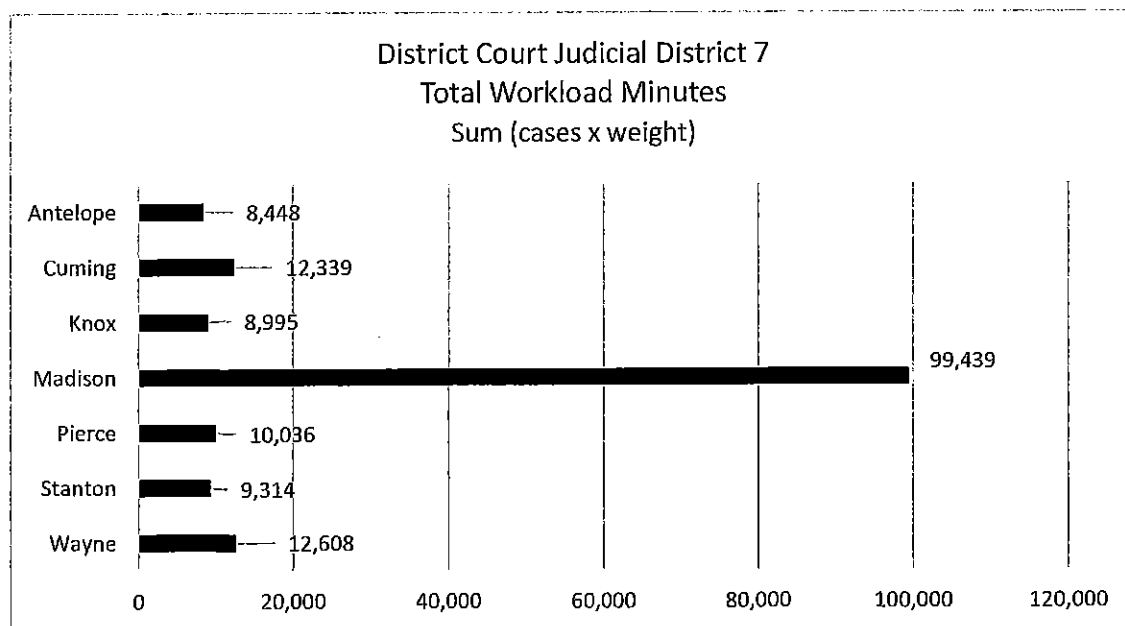
Judges Serving the 7th District

M. Johnson*

Cuming
 Madison
 Pierce
 Wayne

Kube*

Antelope
 Knox
 Madison
 Stanton



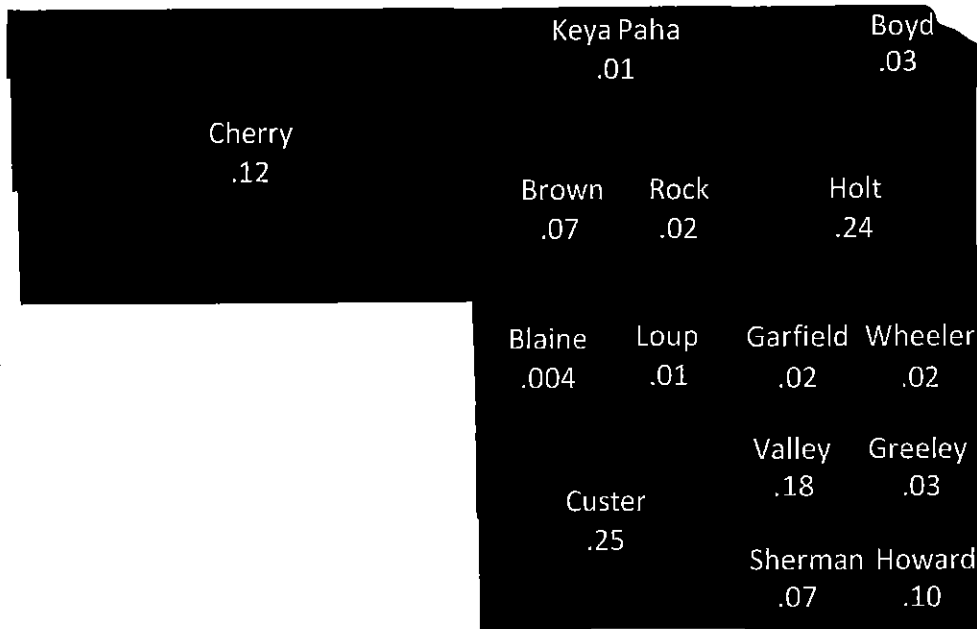
Weighted Caseload Report

8th Judicial District – District Court

District court need for judges: 1.17
 Current number of judges: 2
 Workload per judge: 0.59

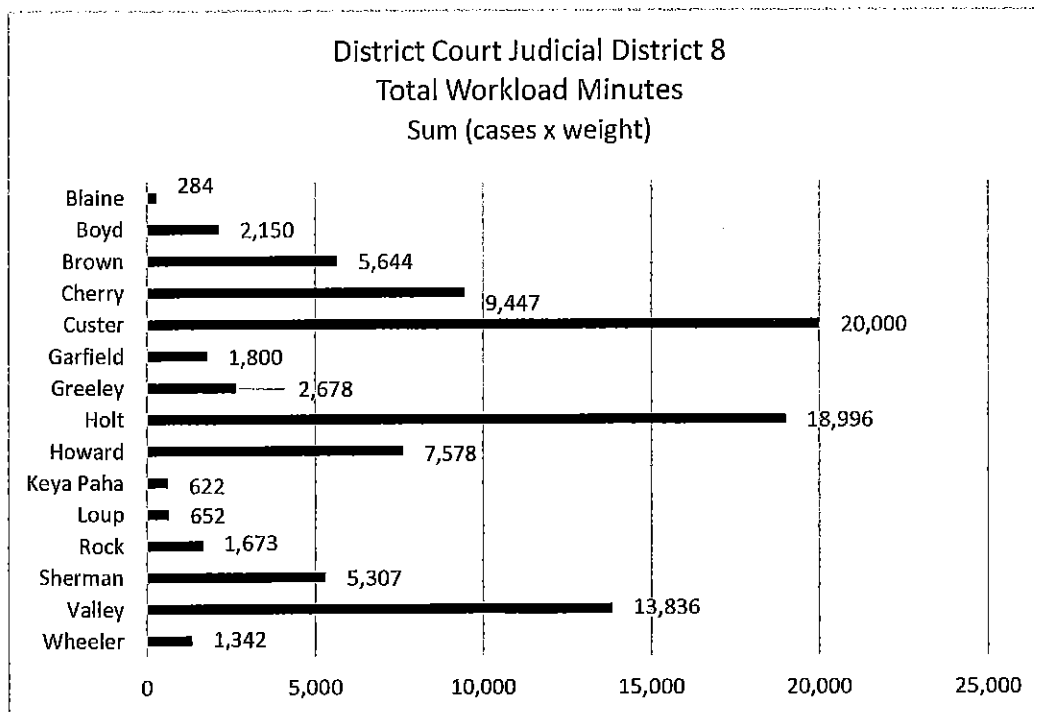
Predicted judicial resources need by county

Judges Serving the 8th District



Kozisek*
 Blaine
 Boyd
 Brown
 Cherry
 Garfield
 Holt
 Keya Paha
 Loup
 Rock

Noakes*
 Custer
 Greeley
 Howard
 Sherman
 Valley
 Wheeler

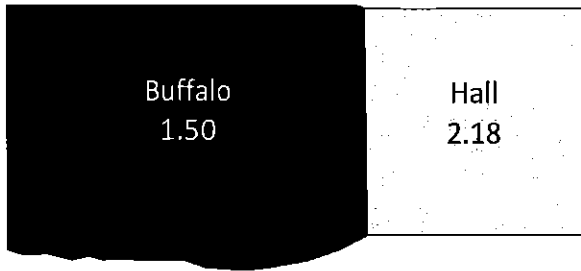


Weighted Caseload Report





9th Judicial District – District Court

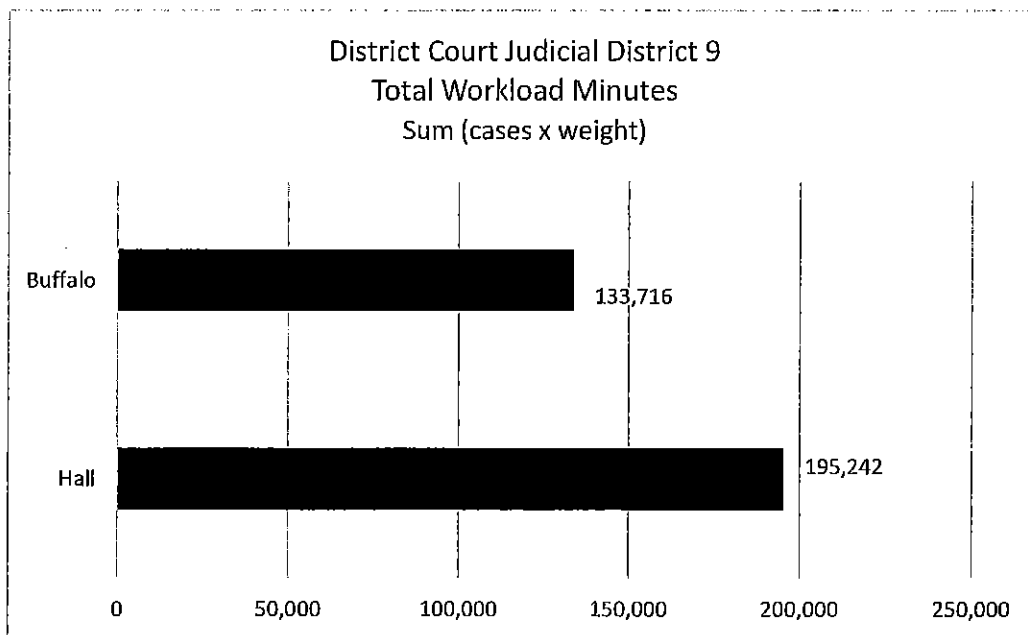
District court need for judges: 3.68
 Current number of judges: 4
 Workload per judge: 0.92

Predicted judicial resources need by county



Judges Serving the 9th District

	Butler*
	Hall
	Carson
	Buffalo
	Hall
	Lee*
	Hall
	Marsh*
	Buffalo
	Hall



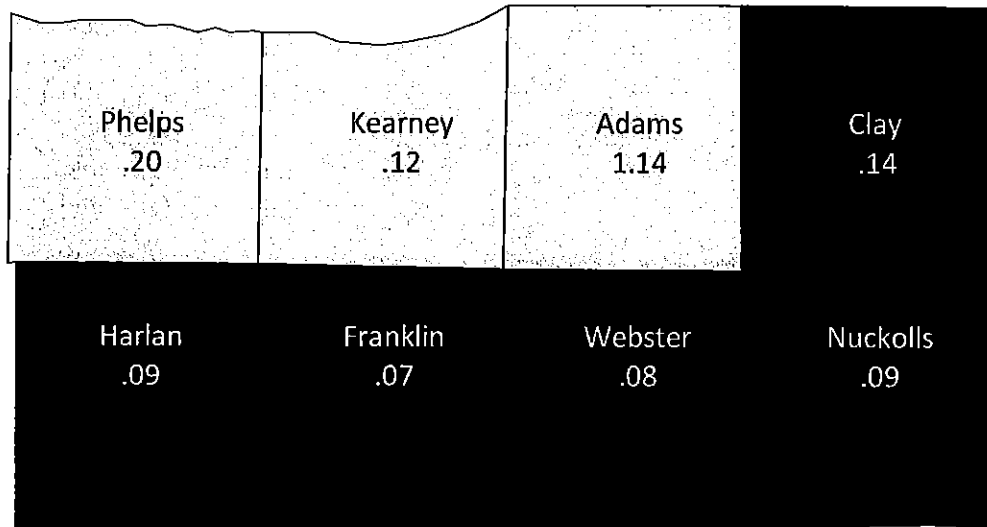
Weighted Caseload Report

10th Judicial District – District Court

District court need for judges: 1.93
 Current number of judges: 2
 Workload per judge: 0.97

Predicted judicial resources need by county

Judges Serving the 10th District



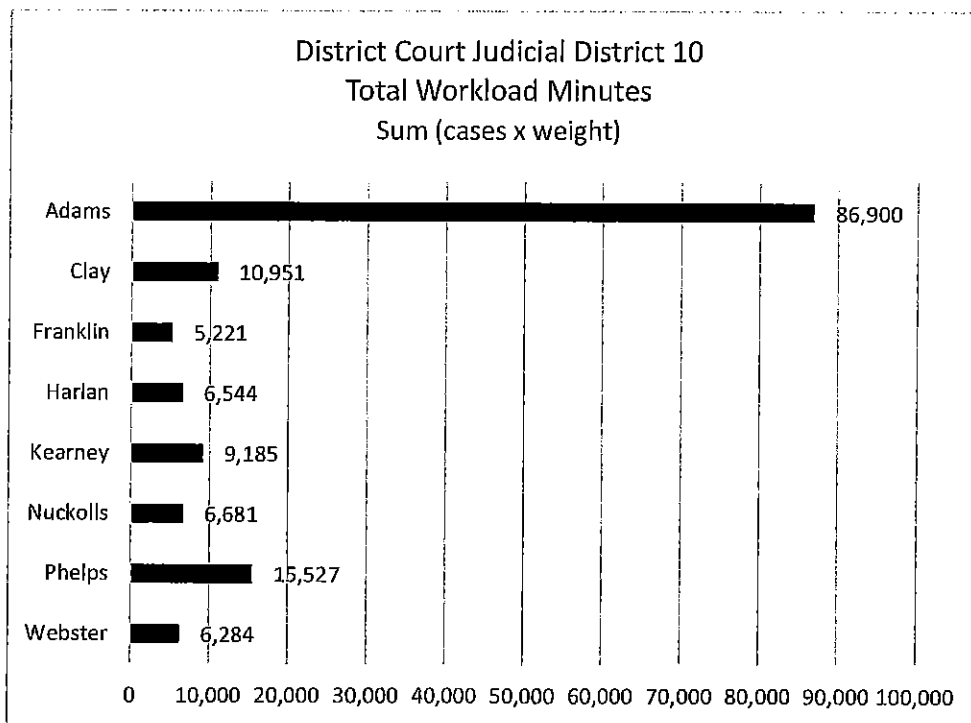
Farquhar*

Adams
 Clay
 Kearney
 Nuckolls
 Phelps
 Webster



Vacant (Harder)

Adams
 Franklin
 Harlan
 Kearney
 Phelps
 Webster



Weighted Caseload Report

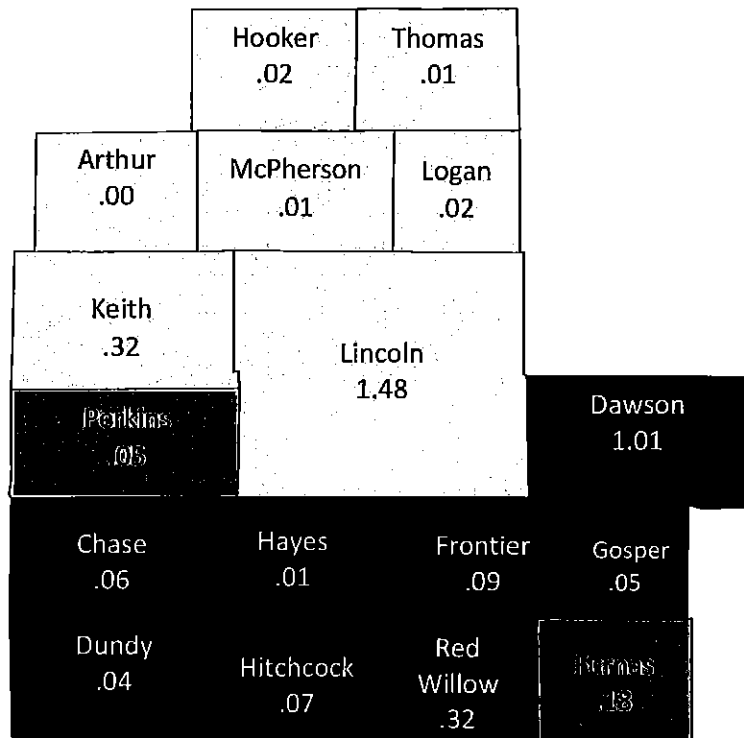
11th Judicial District – District Court

District court need for judges: 3.74

Current number of judges: 4

Workload per judge: 0.94

Predicted judicial resources need by county



Judges Serving the 11th District



Heng*

Chase

Dundy

Frontier

Furnas

Hayes

Hitchcock

Red Willow

Neher

Dawson

Furnas

Gosper

Piccolo*

Arthur

Hooker

Keith

Lincoln

Logan

McPherson

Thomas

Volkmer*

Arthur

Hooker

Keith

Lincoln

Logan

McPherson

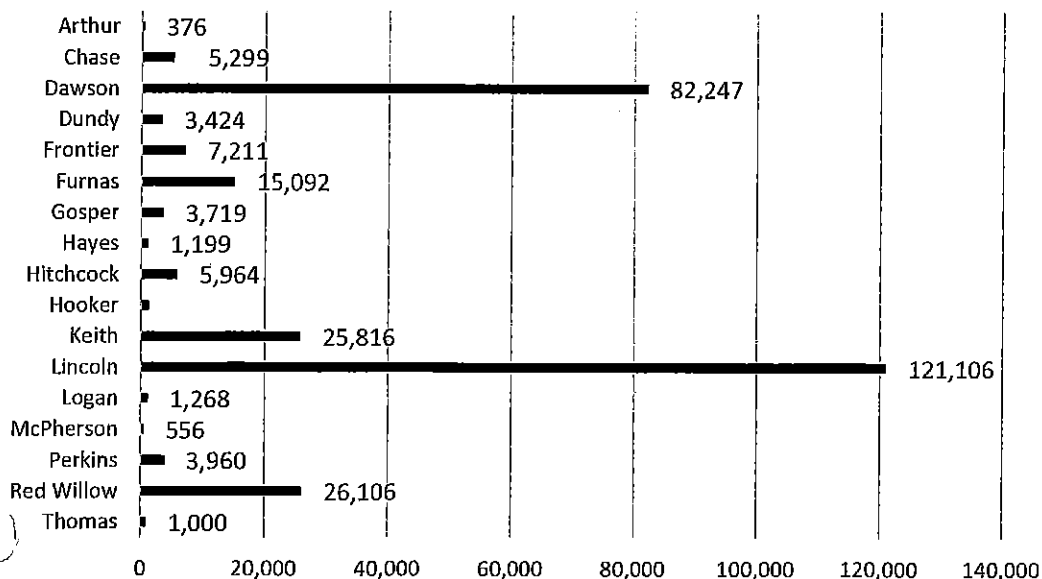
Perkins

Thomas

District Court Judicial District 11

Total Workload Minutes

Sum (cases x weight)

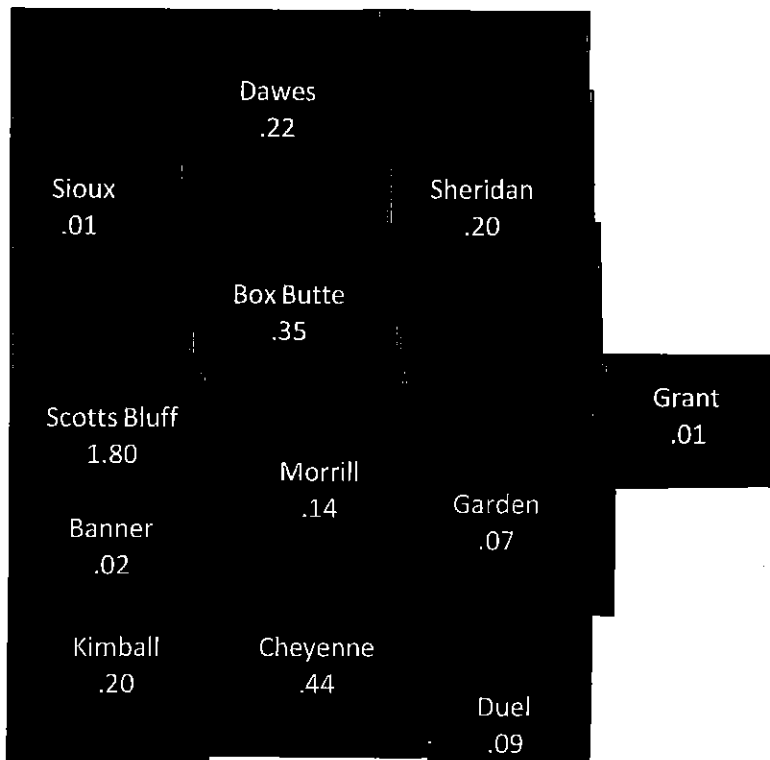


Weighted Caseload Report

12th Judicial District – District Court

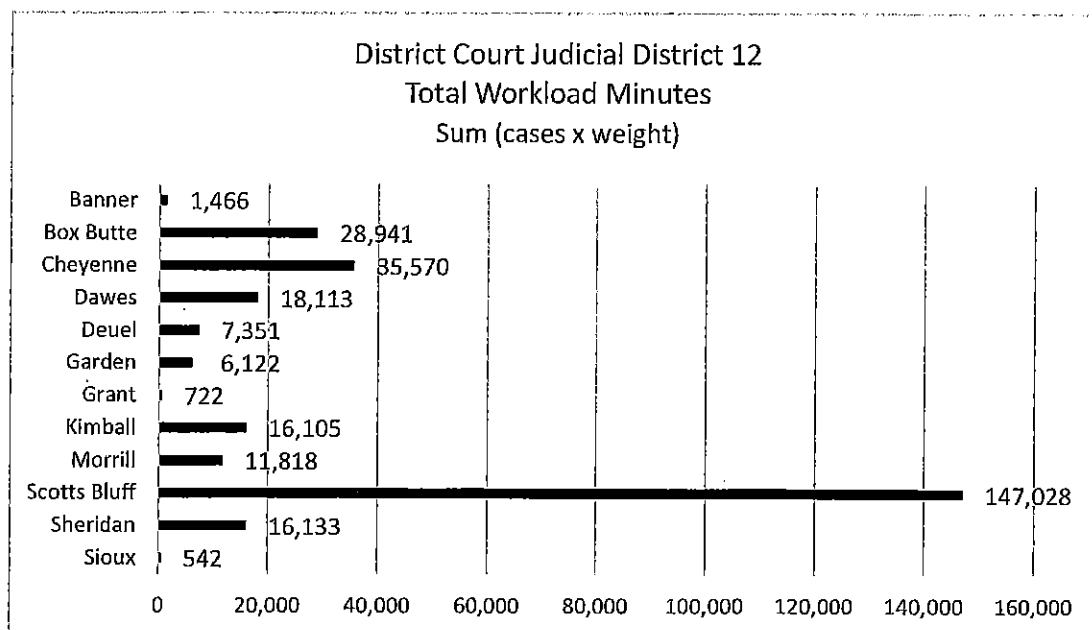
District court need for judges: 3.55
 Current number of judges: 4
 Workload per judge: 0.89

Predicted judicial resources need by county



Judges Serving the 12th District

	Dobrovolny
	Morrill
	Scotts Bluff
	Miller
	Morrill
	Scotts Bluff
	O'Gorman
	Box Butte
	Dawes
	Grant
	Sheridan
	Sioux
	Weimer*
	Banner
	Cheyenne
	Deuel
	Garden
	Kimball



Weighted Caseload Report

Court Case Type Categories and Weights – Appendix

District Court Case Types	2022 Case Weight (minutes)
Problem Solving Court Cases	683
Protection Orders	32
Civil	219
Class I Felony	367
Other Criminal	149
Domestic Relations	97
Appeals	343
Administrative Appeals	540
County Court Case Types	2022 Case Weight (minutes)
Protection Orders	32
Felony	26
Misdemeanor	23
District Court: Adult Problem-Solving Court	683
Traffic	1
Civil	8
Probate	61
Guardianship/Conservatorship	133
Small Claims	30
Adoption	92
Domestic Relations	97
Juvenile: 3A Children	487
Juvenile: Delinquency	100
Juvenile: Status Offender 3B	37
Juvenile: Mentally III and Dangerous 3C	265
Juvenile: Bridge to Independence (B21)	58
Juvenile: Interstate Compact Hearings/Filings	2
Juvenile: Problem-Solving Court Cases	654
Separate Juvenile Court Case Types	2022 Case Weight (minutes)
Adoption	49
Domestic Relations	26
Juvenile: 3A Children	487
Delinquency	136
Status Offender 3B	54
Mentally III and Dangerous 3C	265
Bridge to Independence B21	36
Interstate Compact Hearing/Filings	2
Problem Solving Court Cases	654



Research and Data

Operations Division

Administrative Office of the Courts & Probation

Chief Standing Bear Justice Administration Building

521 S. 14th Street Suite 300 | Lincoln, NE 68508

T 531.739.8100 | F 402.471.2197

The District Court of Nebraska

Fourth Judicial District, Presiding Judge

JUDGE JEFFREY J. LUX

Hall of Justice

Courtroom #503

Omaha, NE 68183



Shanette Saunders-Smith

BAILIFF

Shelby Schmiedt, CERT

OFFICIAL COURT

REPORTER

OFFICE: 402-444-7755

FAX: 402-996-8163

November 8, 2024

Judicial Resources Commission

c/o Kara Nielsen

State Capital Building

P.O. Box 98910

Lincoln, NE 68509

Kara.Nielsen@nejudicial.gov

RE: Request to be on January Meeting Agenda and Public Testimony

Dear Justice Jonathan J. Papik and Members of the Commission:

Please accept this letter as written testimony in support of the request of the Judges of the Fourth Judicial District Court that the Judicial Resources Commission determine the existence of a judicial vacancy in the District Court of the Fourth Judicial District. The vacancy is due to the retirement of Judge W. Russell Bowie III, effective January 8, 2025.

When a Judge retires, other District Judges manage the retired Judge's cases, in addition to their own cases, until the Judicial Resources Commission declares a vacancy and a Judge is appointed.

Additionally, the 2024 Nebraska Judicial Branch Weighted Caseload Report concluded this District Court has a need for 18.96 judges. The 2024 Annual Fiscal Year Caseload Report for the Fourth Judicial District Court reflects the existence of over 12,300 cases filed for the 2024 fiscal year. These numbers reflect the trend this judicial district is experiencing in attaining pre-COVID level case filings. By category for fiscal year 2024 are as follows:

Criminal Felony Class 1:	491
Criminal Other:	3,355
Problem Solving Court:	185
Domestic Relations:	3,760
Protection Orders:	2,344
Civil:	2,094
Appellate Action:	61
<u>Administrative Appeals:</u>	<u>14</u>
TOTAL CASES	12,304

EXHIBIT

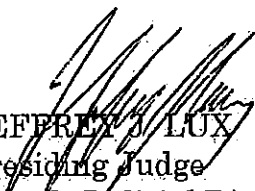
33/96

Accordingly, the Judges of the Fourth Judicial District Court respectfully request that the Judicial Resources Commission declare that a judicial vacancy exists in the District Court of the Fourth Judicial District due to the retirement of Judge W. Russell Bowie III.

We plan to have a member of our bench testify during the commission's January 17, 2025 meeting in support of declaring a vacancy due to the retirement of Judge W. Russell Bowie III. However, if jury trial(s) scheduling conflicts arise, please accept this letter as submitted testimony from the District Court of the Fourth Judicial District in support of declaring a vacancy.

Thank you for your consideration. Please do not hesitate to contact me should you have any questions.

Very Sincerely Yours,



JEFFREY J. LUX
Presiding Judge
Fourth Judicial District

CC: Judge Peter C. Bataillon
Judge J Russell Derr
Judge W. Russell Bowie
Judge Marlon A. Polk
Judge Leigh Ann Retelsdorf
Judge Timothy P. Burns
Judge Duane C. Dougherty
Judge Kimberly Miller Pankonin
Judge Shelly R. Stratman
Judge Horacio J. Wheelock
Judge James M. Mastellar
Judge Tressa M. Alioth
Judge T. Olon Engleman
Judge LeAnne M. Srb
Judge Molly B. Keane
Judge Katie L. Benson
Sheri Larsen, Douglas County District Court Administrator



City of Omaha
Jean Stothert, Mayor

Law Department

Prosecution Division

Hall of Justice
1701 Farnam Street, Suite #200
Omaha, Nebraska 68183
(402) 444-5290

Kevin J. Sillmp
City Prosecutor

January 16, 2025

Judicial Resources Commission
Honorable Jonathan Papik
State Capitol Building
P.O. Box 98910
Lincoln, NE 68509

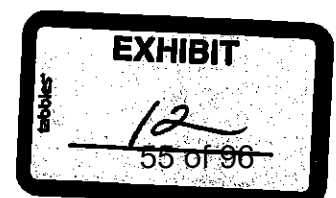
Re: Judicial Vacancy-Douglas County Court-4th Judicial District

Dear Justice Papik and Members of the Commission:

I am writing in support of this Commission declaring a judicial vacancy in the Douglas County Court due to Judge Jeffrey Marcuzzo's retirement. Declaring a judicial vacancy on the County Court will help maintain the full number of judges allocated by the Nebraska Legislature and ensure that the County Court continues to administer cases in a timely manner for a large and diverse population.

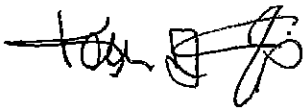
The Douglas County Court has operated with twelve judges since 1998, despite a growing population. Douglas County now contains a population of over 580,000 residents and is part of a metropolitan area that contains almost one million people, many of whom frequently come to Omaha and Douglas County to work, shop, visit local attractions, and attend sporting events and concerts. With a large population and many visitors each day comes the challenges associated with any such large metropolitan area. Having twelve county court judges is imperative to the expeditious administration of justice.

In addition to the busy civil docket in Douglas County, each judicial day the County Court handles criminal cases scheduled in six different courtrooms. Separately, the County Court presides over often more than one hundred cases each month which are scheduled on the County Court's criminal jury docket. The County Court efficiently handles its criminal cases while taking into account the needs of affected offices, including: the Douglas County Attorney, the Omaha City Prosecutor, the Douglas County Public Defender, private attorneys, law enforcement, as well as the needs of lay witnesses and the litigants that appear before it each and every day. The County Court does so while treating each defendant as an individual, and giving due consideration to each case handled.



Case filings have increased significantly over the past year demonstrating the continued need for twelve judges presiding over cases in Douglas County Court. The Nebraska Legislature has determined that twelve judges are necessary to appropriately handle the judicial caseload in its most populous county. This has been true for the past twenty-five years. During that time, the population, caseload, and challenges to the effective administration of justice have only increased. This Commission has always seen fit to declare a judicial vacancy when a judge has left the Douglas County Court bench in the past, and I urge the Commission to declare a vacancy at this time.

Sincerely,

A handwritten signature in black ink, appearing to read "Kevin J. Slimp", with a stylized flourish at the end.

Kevin J. Slimp
Omaha City Prosecutor

Gov. Pillen Appoints Jason Bergevin as Associate Justice to the Nebraska Supreme Court

January 2, 2025

CONTACT:

Laura Strimple, (402) 580-9495

Gov. Pillen Appoints Jason Bergevin as Associate Justice to the Nebraska Supreme Court

LINCOLN, NE – Today, Governor Jim Pillen announced his appointment of the Honorable Jason M. Bergevin of Columbus as an associate justice to the Nebraska Supreme Court representing the Fifth Judicial District.

"Judge Bergevin is a dedicated jurist with extensive experience as an attorney and most recently as a district judge representing the Fifth Judicial District," said Gov. Pillen. "I have great confidence in Judge Bergevin's abilities, and I know he has deep respect and integrity when it comes to matters of the court. I am pleased to elevate him to this role on Nebraska's Supreme Court."

"I am honored to be chosen as the next judge of the Nebraska Supreme Court from the Fifth Judicial District," said Justice Bergevin. "Three highly qualified applicants stepped forward for this position. I appreciate Governor Pillen's confidence in me. I will work hard to continue serving the Nebraska Judicial Branch and the people of our state."

In addition to his recent role as district judge (2022), Bergevin also oversaw the opening of one of the state's newest problem-solving courts in Platte County this summer. He was an assistant attorney general in the Nebraska Attorney General's office for seven years where he worked with county attorneys in the prosecution of complex cases, was legal advisor to multiple state agencies and reviewed agency regulations. Bergevin also held multiple positions in the U.S. Air Force Judge Advocate General's Corps up until 2022 and has prior experience in both the Lancaster County Attorney's office and the Weld County District Attorney's office in Greeley Colorado.

Bergevin holds a bachelor's degree in secondary education from the University of Nebraska – Lincoln (UNL) and earned his juris doctor from Western New England University School of Law in Massachusetts.

The Fifth Judicial District for the Nebraska Supreme Court consists of Butler, Cass, Clay, Colfax, Fillmore, Gage, Hall, Hamilton, Jefferson, Johnson, Merrick, Nance, Nemaha, Nuckolls, Otoe, Pawnee, Platte, Polk, Richardson, Saline, Saunders, Seward, Thayer, Webster, and York counties.

The vacancy was due to Judge Jeffrey Funke's appointment as chief justice of the Nebraska Supreme Court.



March 4th, 2025

Governor Jim Pillen
Office of the Governor
P.O. Box 94848
Lincoln, Nebraska 68509-4848

Dear Governor Pillen:

I am very thankful for the opportunity you provided me when you appointed me to serve as a District Court Judge. I have learned so much during my time in this position and will take with me the lessons that I have learned.

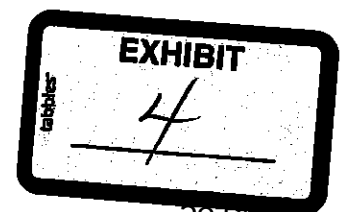
After evaluating the last fourteen months, I have come to the conclusion that I am better suited for a different position in the legal profession. After much consideration, prayer and discussion with my wife, I am resigning effective April 4th, 2025.

Thank you again.

Sincerely,



Judge Matthew d'Argy Neher



KEITH COUNTY COURT
11TH JUDICIAL DISTRICT

511 N. Spruce Street, Rm 105
Ogallala, Nebraska 69153
Phone: 308 284-3693
Fax: 308 284-6825

Edward D. Steenburg, County Judge
Robin Cobaugh, Clerk Magistrate
Yuri Cole, Assistant Clerk
Amber Mironenko, Courtroom Clerk
Brenda Stephens, Records Clerk

December 9, 2024

Gov. Jim Pillen
P.O. Box 94848
Lincoln, NE. 68509-4848
Re: retirement – County Judge – Keith County

RECEIVED

DEC - 9 2024

Office of the Chief Justice

Dear Governor Pillen:

Please accept this letter as notice of my retirement, effective February 28, 2025. It has been my honor to serve the State of Nebraska and the residents of the 11th judicial district for the past 21 years. It has also been a privilege to work with the county judges serving the State of Nebraska.

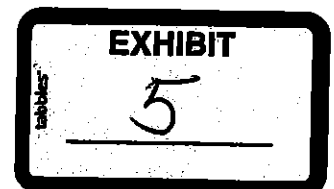
I have been blessed to work with dedicated court employees in the counties I serve; they are asset to the court system. I cannot thank them enough for the work they do each and every day.

I wish you the very best in your tenure as Governor.

Respectfully,

Edward D. Steenburg
County Judge

cc: Chief Justice Jeffrey J. Funke
Corey Steel



Nebraska State Bar Association

"Helping lawyers help people"



April 7, 2025

The Honorable Jonathan J. Papik
Nebraska Supreme Court Justice
State Capitol, #2218
Lincoln, NE 68509

Dear Justice Papik:

On behalf of the NSBA Judicial Resources Committee ("the Committee"), I wish to convey to the members of the Judicial Resources Commission our recommendation regarding the vacancies in the District Court in the 5th District due to the appointment of Judge Bergevin to the Nebraska Supreme Court, the District Court in the 11th Judicial District due to the resignation of Judge Nehr, and the vacancy in the County Court in the 11th Judicial District due to the retirement of Judge Steenburg.

After reviewing the Judicial Weighted Caseload Reports ("Judicial Workload Assessment") for FY 2024, the Committee concluded that the State's justice system will not have adequate judicial resources available unless the current vacancies are filled expeditiously. Therefore, the Committee recommends that the current vacancies in the 5th and 11th Districts be filled.

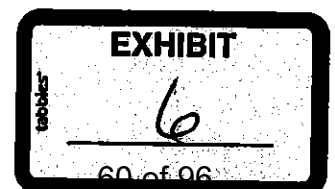
We do not have a recommendation regarding the location of the home court for the vacancies in the 11th District, but we wish to thank the Chief Justice for actively soliciting feedback from the lawyers in the 11th district regarding the location.

Thank you for your consideration of the recommendations set forth herein. Please include this letter with the materials provided to Judicial Resources Commission members before your April 11th meeting.

Sincerely,

Hon. Tricia A. Freeman
NSBA President

Cc: Corey Steel
Liz Neeley



NEBRASKA JUDICIAL BRANCH

County Courts

Weighted Caseload Report



Fiscal Year 2024

July 1, 2023, to
June 30, 2024

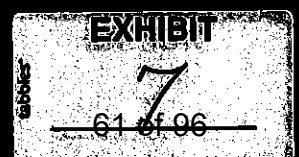


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Weighted Caseload Report

Nebraska County Courts Weighted Caseload Report

Nebraska has a county court in each of its 93 counties, organized into 12 Judicial Districts. Pursuant to Neb. Rev. Stat. § 24-503, the Legislature determines the number of county court judges who serve in each judicial district, and the geographic boundaries of each judicial district. An objective assessment of judicial workload allows informed decisions about district boundaries and the number of judges needed to timely resolve the cases in each judicial district.

To assist in evaluating judicial workloads, Neb. Rev. Stat. § 24-1007(1) requires the Nebraska Administrative Office of the Courts and Probation (AOC) to compile judicial workload statistics based on caseload numbers weighted by category of case. These weighted caseload statistics are used by the Judicial Branch, the Judicial Resources Commission, and the Legislature to evaluate judicial need, and guide decisions and recommendations on how best to allocate judicial resources across the state.

To ensure the validity, uniformity and accuracy of the AOC's judicial workload statistics, a statewide judicial time study was conducted in 2019-2020 under the direction and leadership of the National Center for State Courts. For a full description of the judicial time study and the recommended weighting methodology and standards, see *Nebraska Judicial Workload Assessment Final Report* (October 2020) on the Nebraska Supreme Court Website. Because this Weighted Caseload Report utilizes the methodology and standards from the 2020 workload assessment, direct comparison to archived reports is not recommended.

No quantitative judicial workload assessment method, including the weighted caseload method, can determine the exact number of judges needed within each court. For example, judges may be asked to assist non-home districts to ensure speedy trials for all involved and that one district is not unduly overburdened. **To address this challenge, the Research and Data Team have added an asterisk next to the name of the judges that provided judicial assistance in the last fiscal year (FY 2024) to other districts.**

Weighted caseload statistics approximate the number of judges needed to handle the current caseload based upon the calculations of a three-year rolling average of case filing data. Therefore, when weighted caseload statistics are examined in conjunction with other compelling and critical metrics, they provide a vital part of an objective and standardized assessment of judicial needs and the fair allocation of judicial resources across juvenile courts in the State of Nebraska.



Corey R. Steel

Nebraska State Court Administrator

Nebraska Supreme Court

Administrative Office of the Courts & Probation

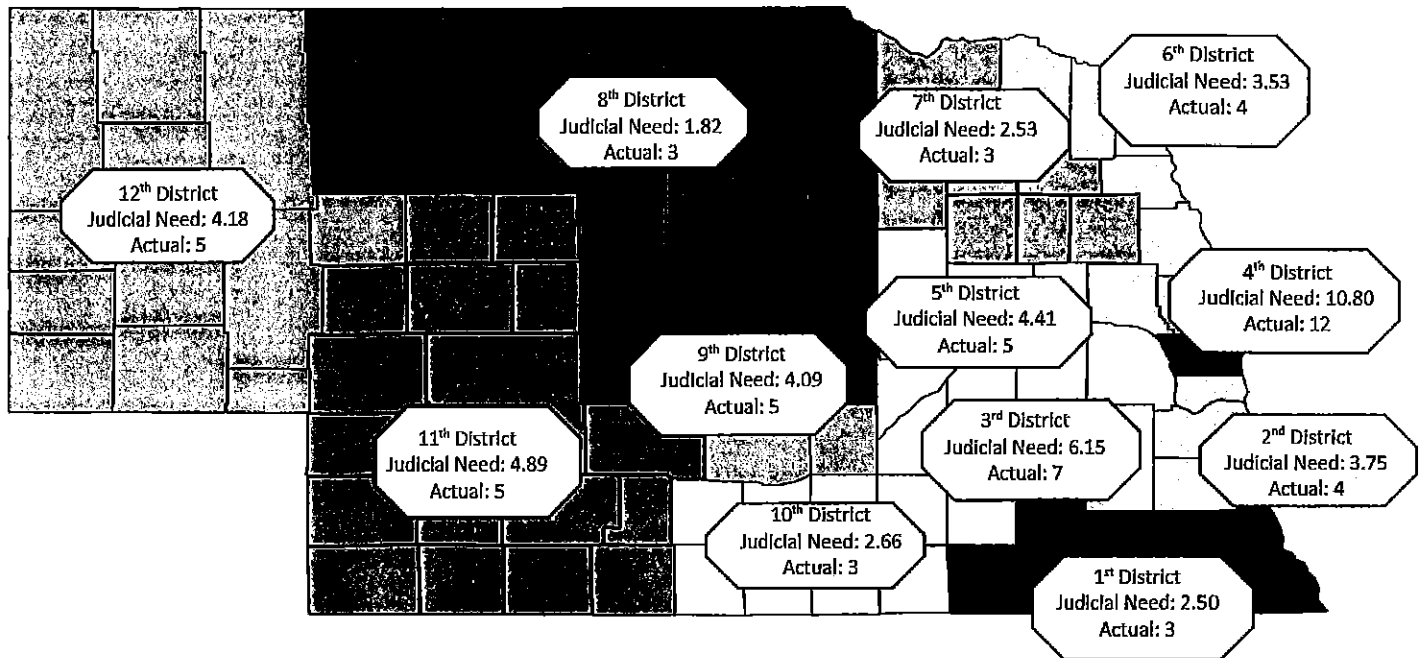
Rm. 1211 State Capitol | P.O. Box 98910 | Lincoln, NE 68509

T 402.471.3730 | F 402.471.2197

www.supremecourt.nebraska.gov

Weighted Caseload Report

Nebraska County Court Judicial Needs Fiscal Year 2024 (July 1, 2023 – June 30, 2024)



Note: Differences between the total District Court Need for Judges and the sum of individual counties is due to rounding to the nearest one-hundredth.

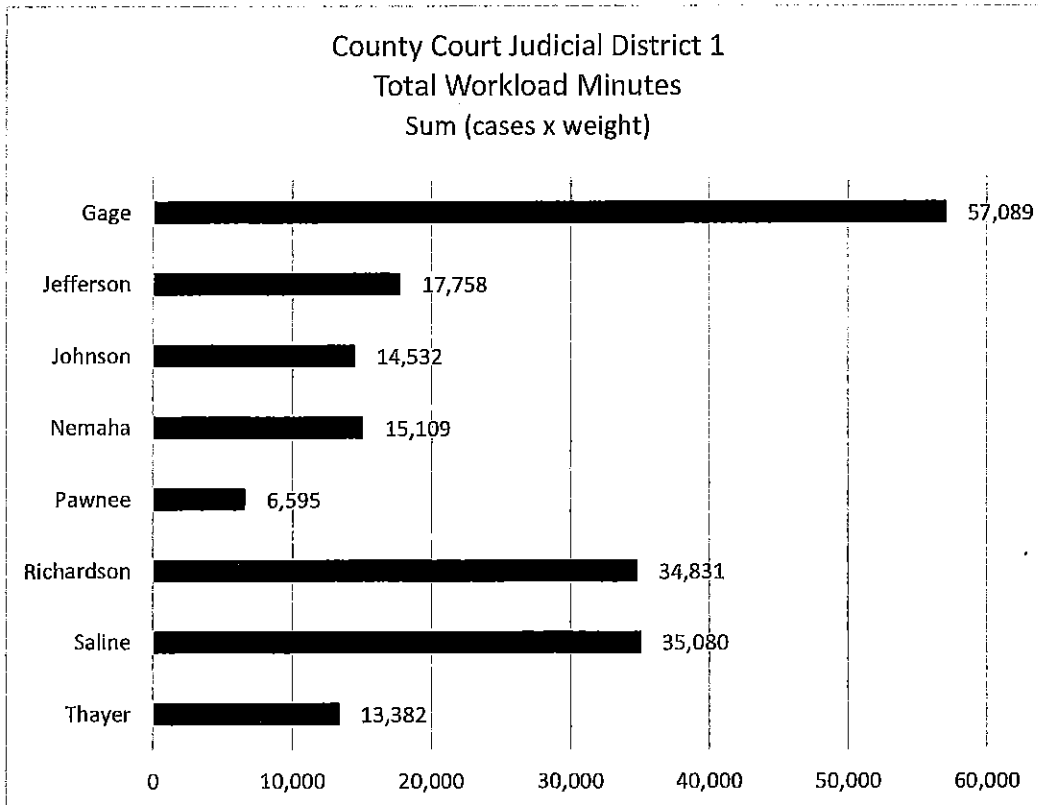
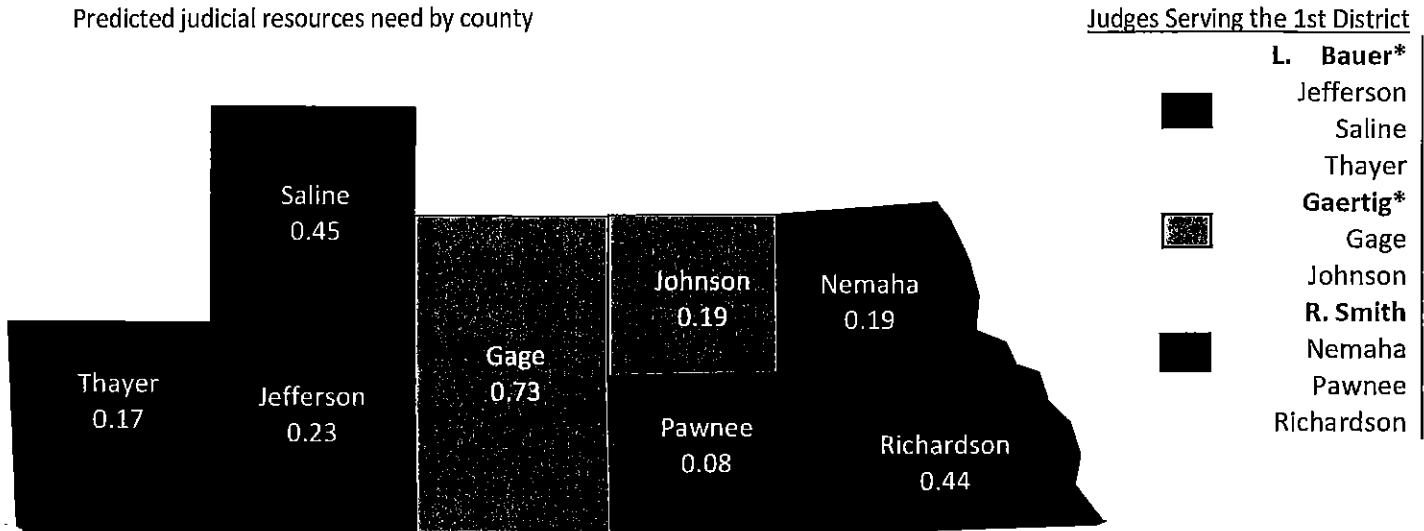
Weighted Caseload Report

1st Judicial District – County Court

County court need for judges: 2.50
 Current number of judges: 3
 Workload per judge: 0.83

NOTE: An additional **0.02** is given due to Judge R. Smith being assigned to Problem-Solving Court cases in Fillmore County (District Court) and Otoe County (District Court).

Predicted judicial resources need by county

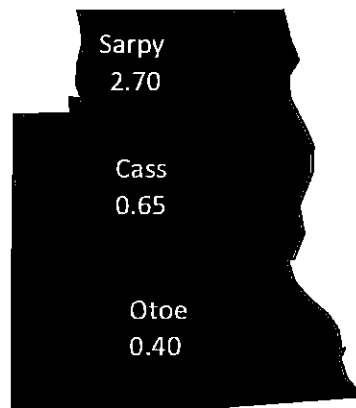


Weighted Caseload Report






2nd Judicial District – County Court

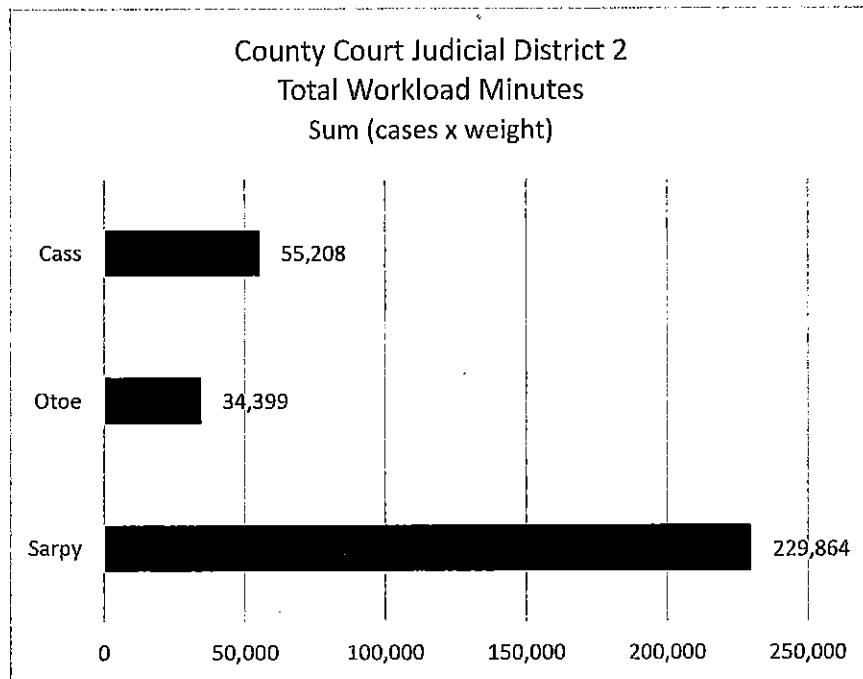
County court need for judges: 3.75
 Current number of judges: 4
 Workload per judge: 0.94

Predicted judicial resources need by county



Judges Serving the 2nd District

	Freeman*
	Hutton
	Palm*
	Partsch*
	



Weighted Caseload Report

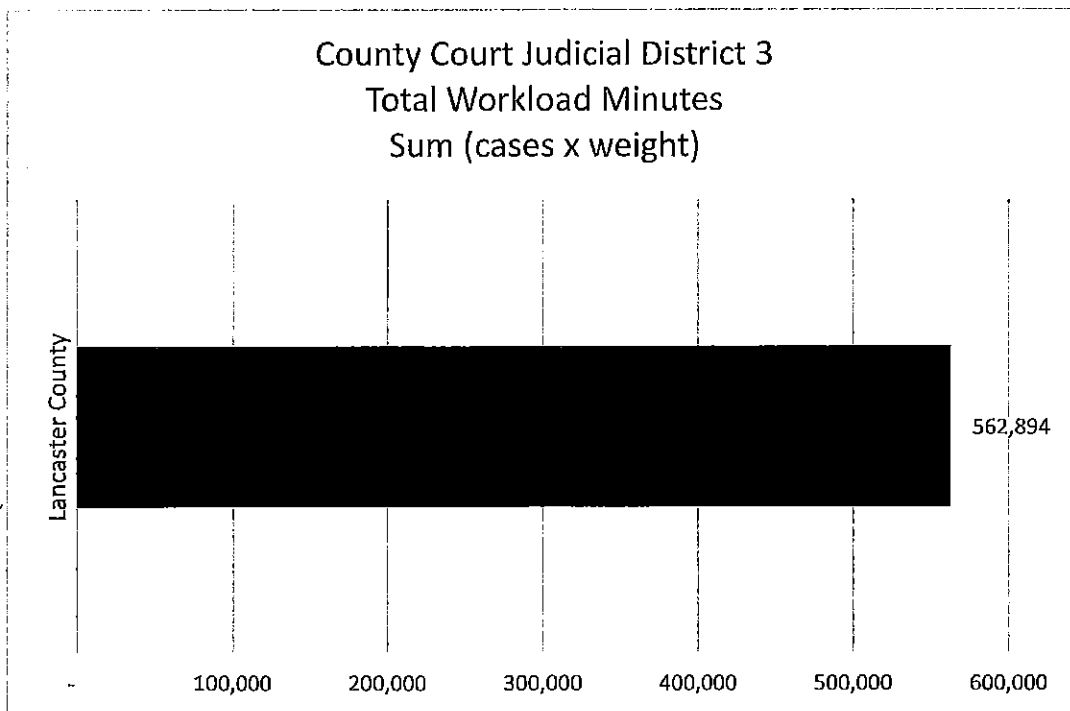
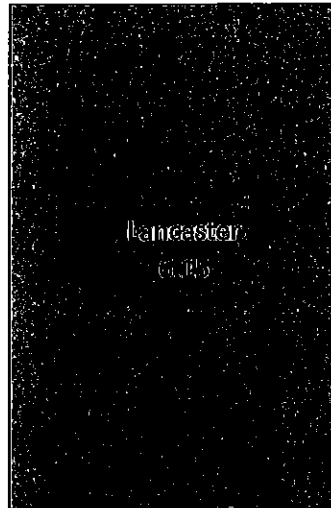
3rd Judicial District –County Court

County court need for judges: 6.15
Current number of judges: 7
Workload per judge: 0.88

Predicted judicial resources need by county

Judges Serving the 3rd District

Acton*
Dalton*
Parsley*
Phillips
Reuter*
Yardley*
Zimmerman*



Weighted Caseload Report

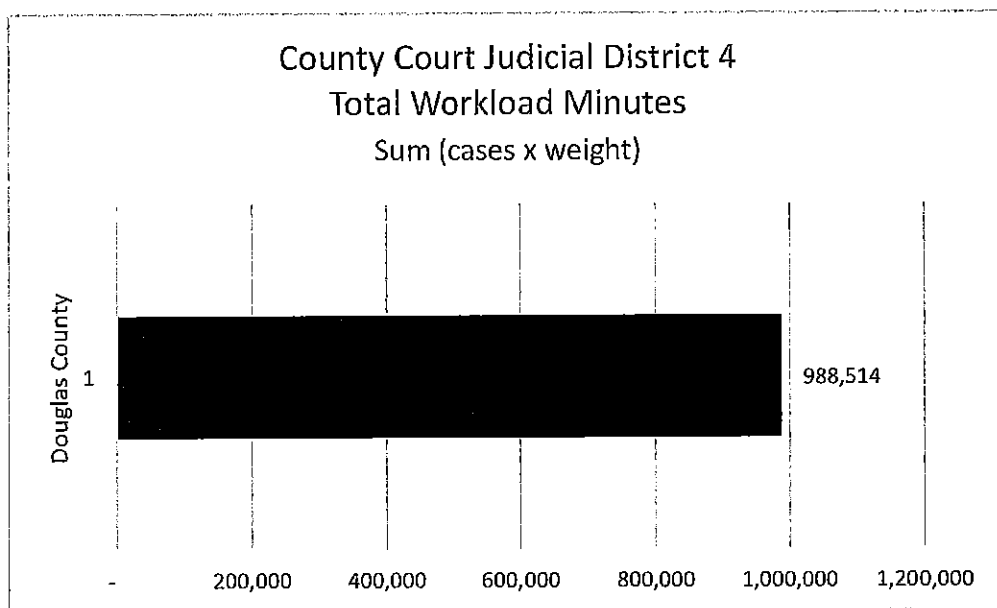
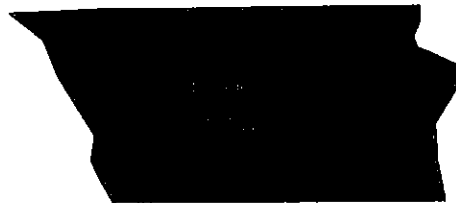
4th Judicial District –County Court

County court need for judges: 10.80
Current number of judges: 12
Workload per judge: 0.90

Predicted judicial resources need by county

Judges Serving the 4th District

Finley
Forsberg*
Hansen
Harmon
Hendrix
Huber
Keim
Lohaus*
Lowe
Marcuzzo
McDermott
Shearer*

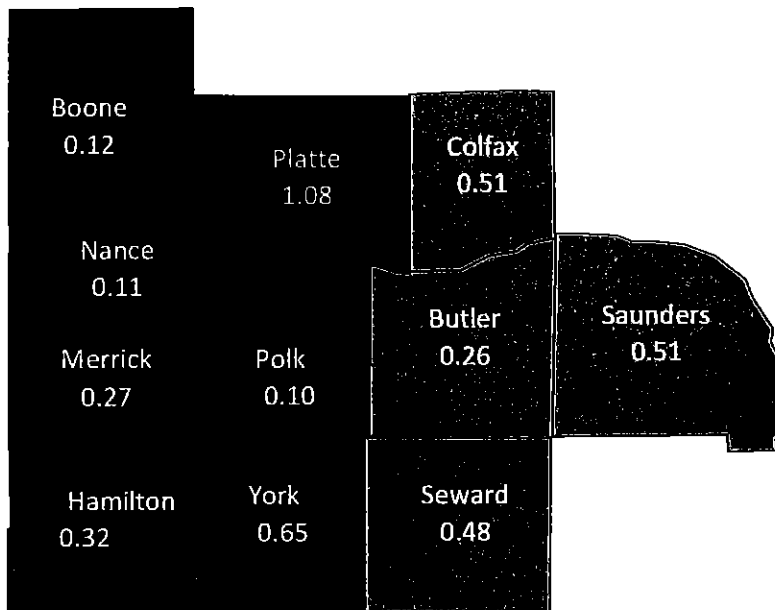


Weighted Caseload Report

5th Judicial District - County Court

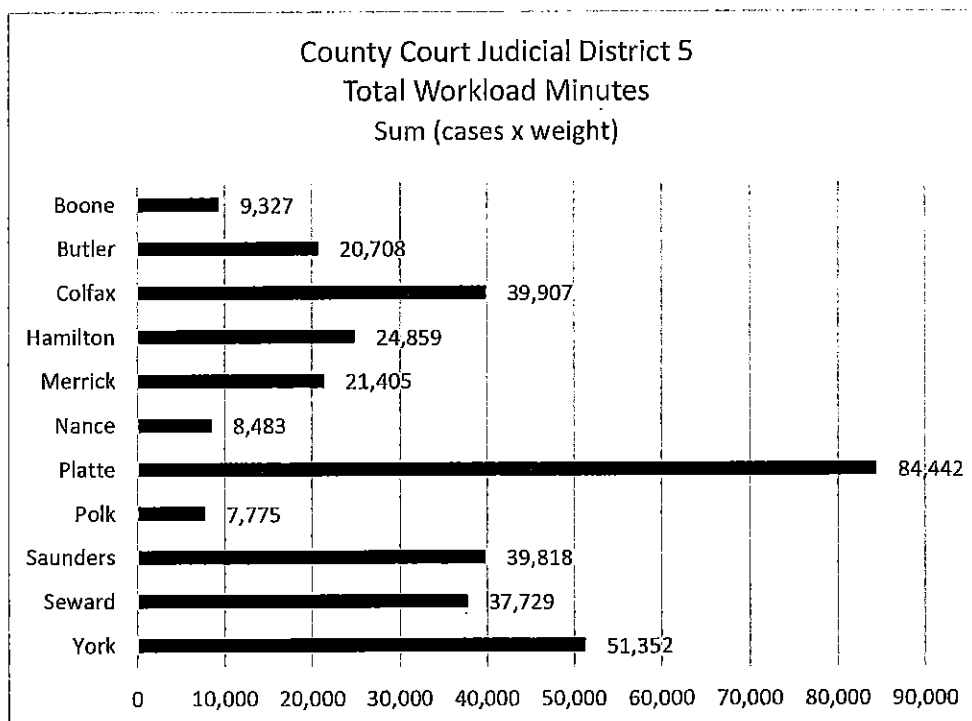
County court need for judges: 4.41
 Current number of judges: 5
 Workload per judge: 0.88

Predicted judicial resources need by county



Judges Serving the 5th District

- Homolka***
 - Hamilton
 - York
- Lange***
 - Colfax
 - Saunders
- Kraci**
 - Platte
- Petersen***
 - Butler
 - Seward
- Conflict Cases in Saunders**
- Twiss***
 - Boone
 - Merrick
 - Nance
 - Polk

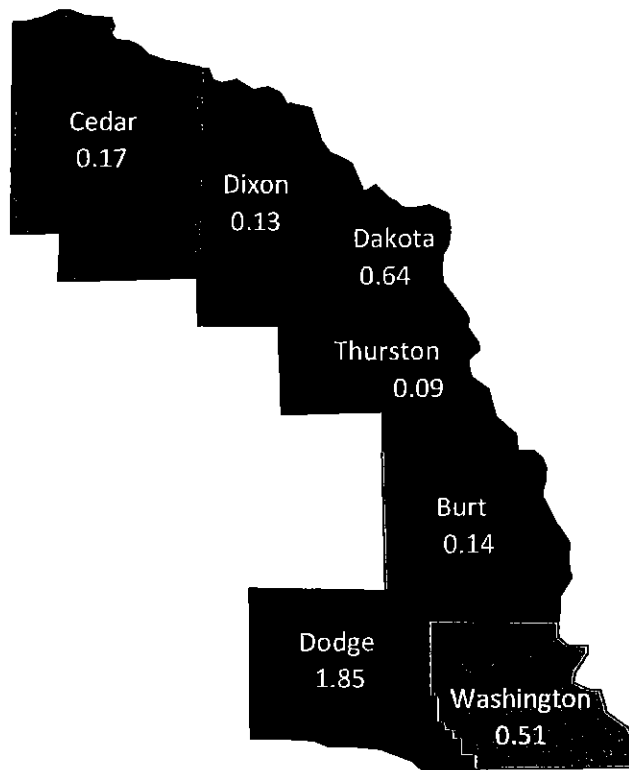


Weighted Caseload Report

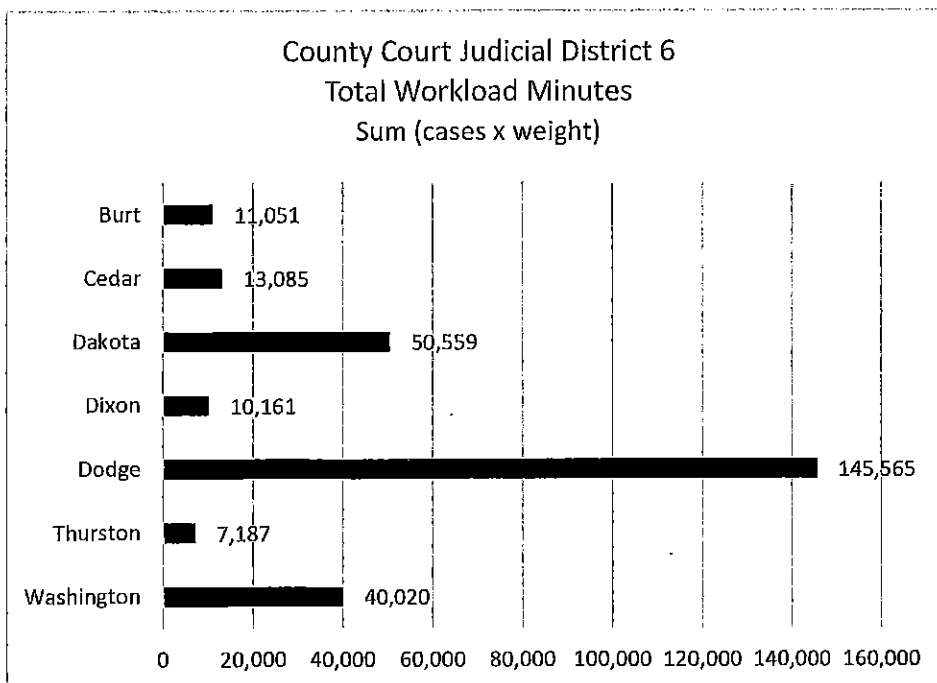
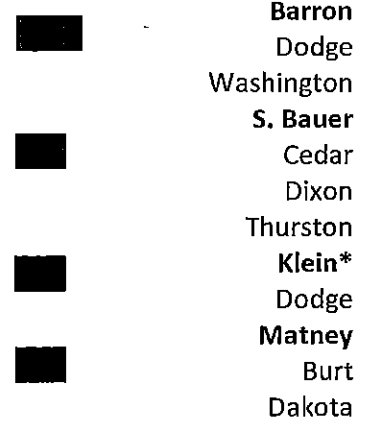
6th Judicial District – County Court

County court need for judges: 3.53
 Current number of judges: 4
 Workload per judge: 0.88

Predicted judicial resources need by county



Judges Serving the 6th District

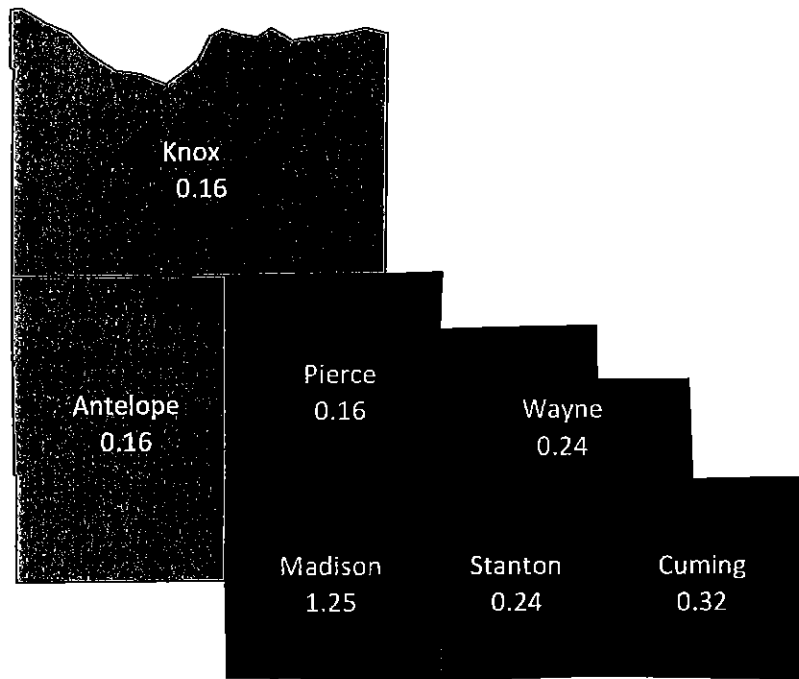


Weighted Caseload Report

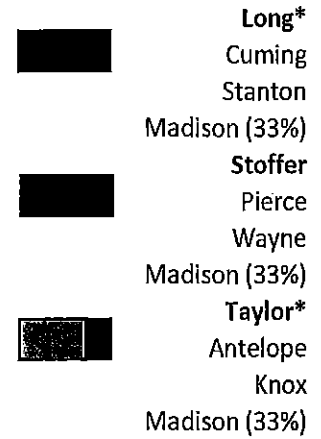
7th Judicial District – County Court

County court need for judges: 2.53
 Current number of judges: 3
 Workload per judge: 0.84

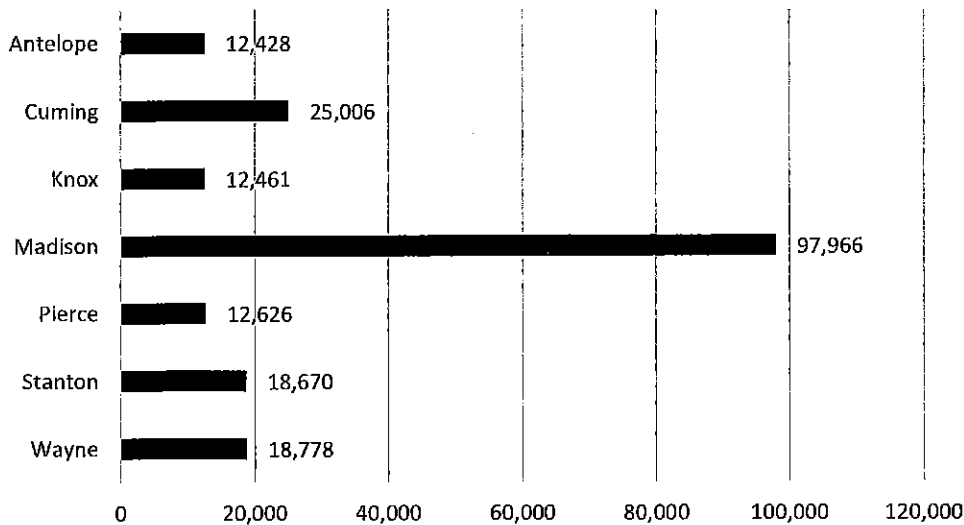
Predicted judicial resources need by county



Judges Serving the 7th District



County Court Judicial District 7
 Total Workload Minutes
 Sum (cases x weight)



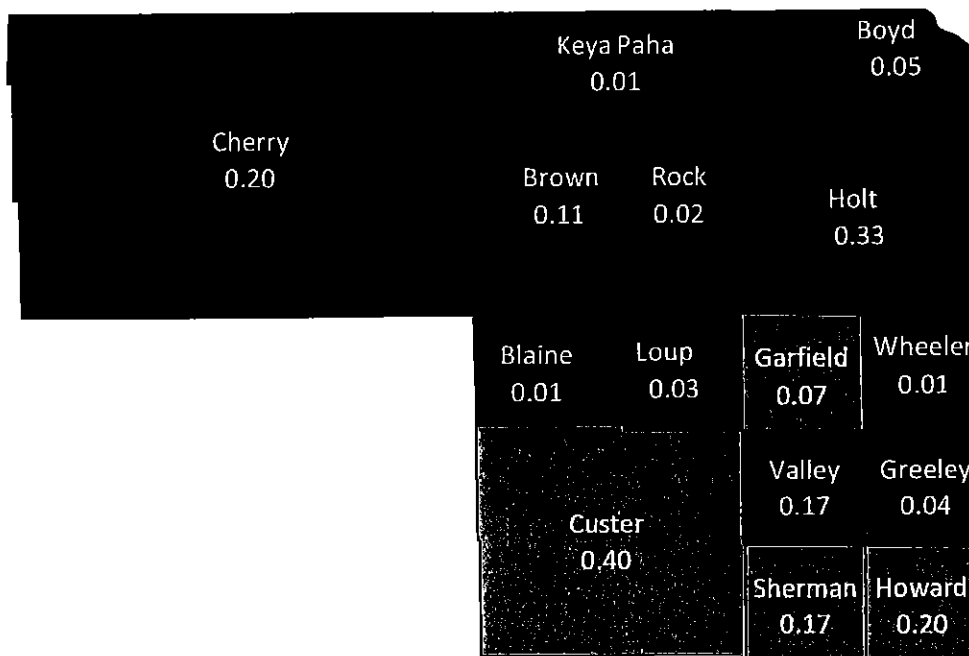
Weighted Caseload Report

8th Judicial District – County Court

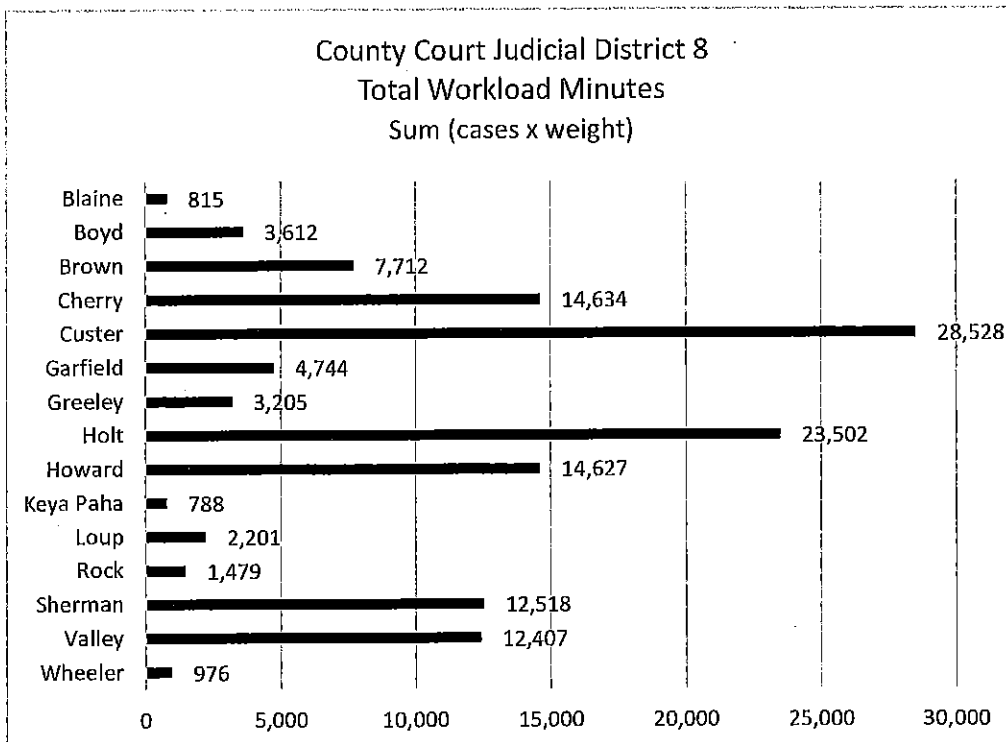
County court need for judges: 1.82
 Current number of judges: 3
 Workload per judge: 0.61

Predicted judicial resources need by county

Judges Serving the 8th District



Burdick*
 Boyd
 Greeley
 Holt
 Valley
 Wheeler
Orr
 Blaine
 Brown
 Cherry
 Keya Paha
 Loup
 Rock
Schendt*
 Custer
 Garfield
 Howard
 Sherman

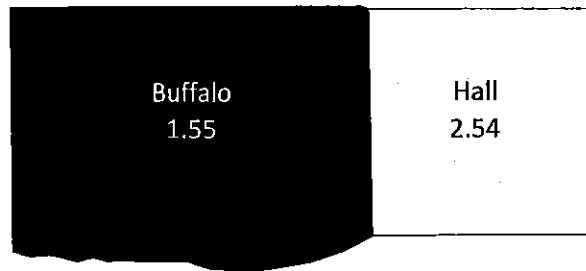


Weighted Caseload Report

9th Judicial District – County Court

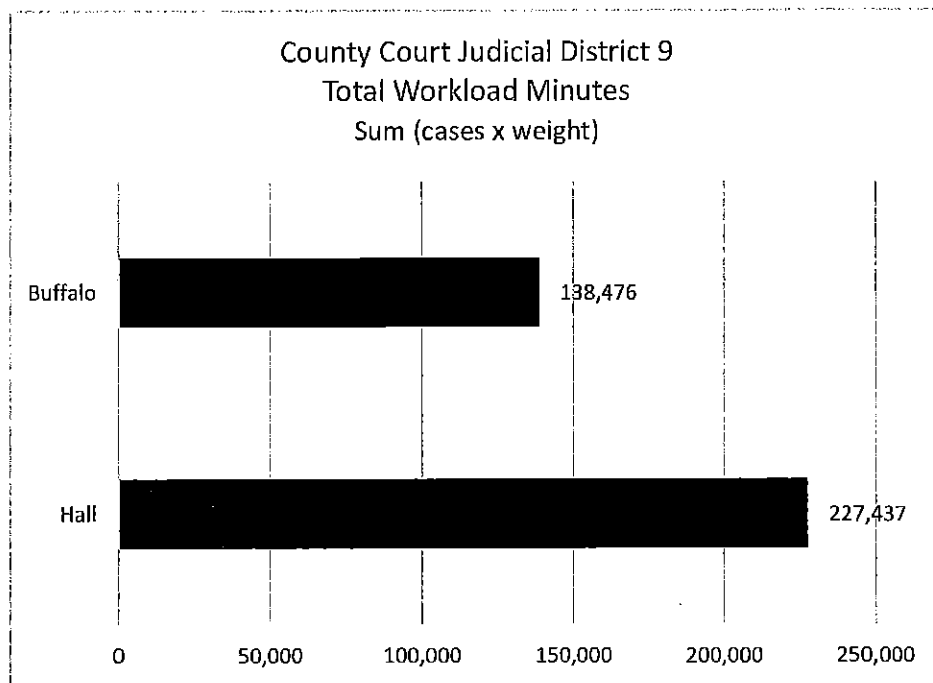
County court need for judges: 4.09
 Current number of judges: 5
 Workload per judge: 0.82

Predicted judicial resources need by county



Judges Serving the 9th District

	Corey*
	Hall
	Jorgensen
	Buffalo
	McQuay
	Hall
	Rademacher*
	Buffalo
	Hall
	Wetzel
	Hall

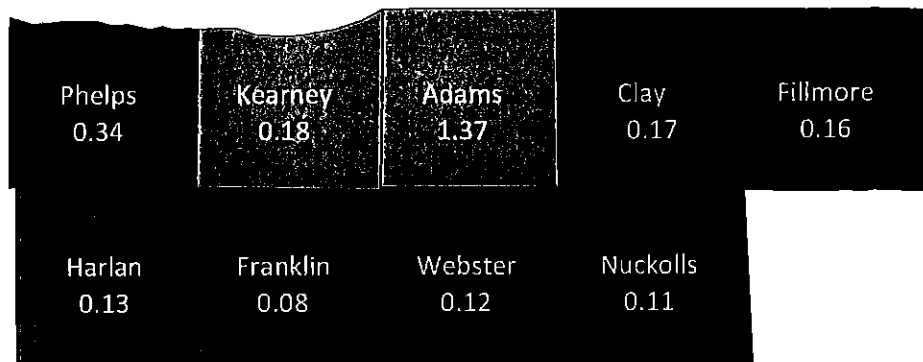


Weighted Caseload Report

10th Judicial District – County Court

County court need for judges: 2.66
 Current number of judges: 3
 Workload per judge: 0.89

Predicted judicial resources need by county



Judges Serving the 10th District

Burns*

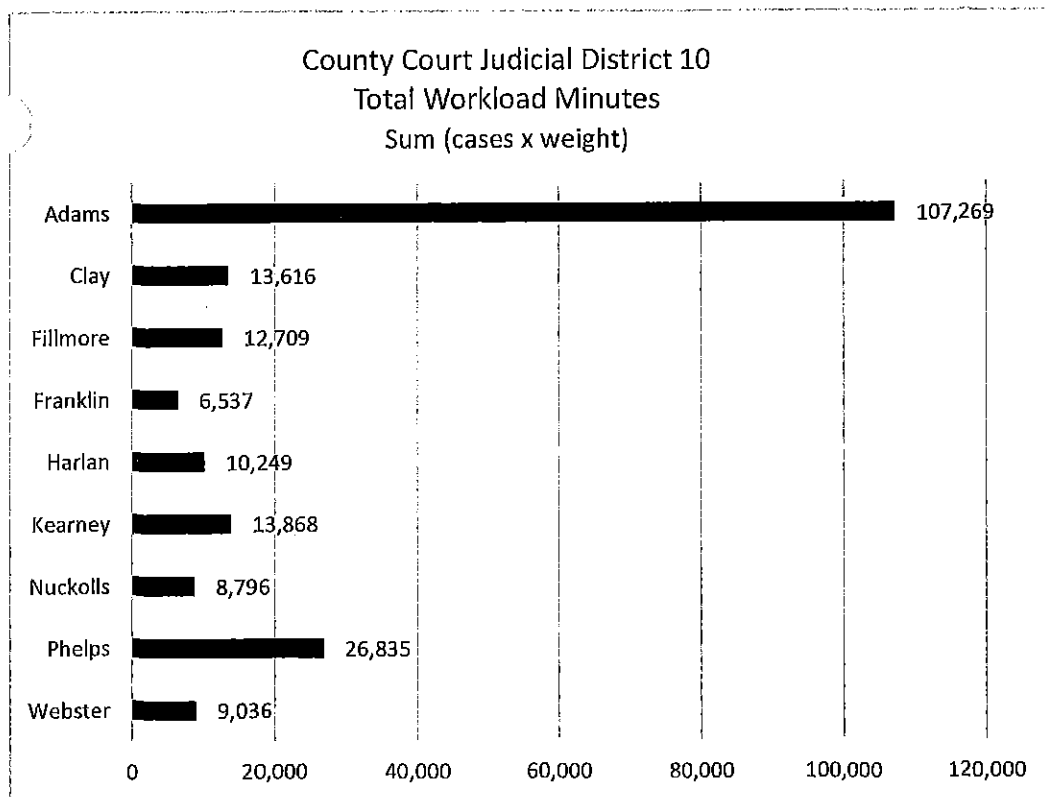
Adams (38%)
 Clay (90%)
 Fillmore (90%)
 Nuckolls (86%)

Hoeft*

Adams (24%)
 Franklin (50%)
 Harlan (100%)
 Kearney (54%)
 Phelps (75%)
 Webster (48%)

Mead*

Adams (38%)
 Clay (10%)
 Fillmore (10%)
 Franklin (50%)
 Kearney (46%)
 Nuckolls (14%)
 Phelps (25%)
 Webster (52%)

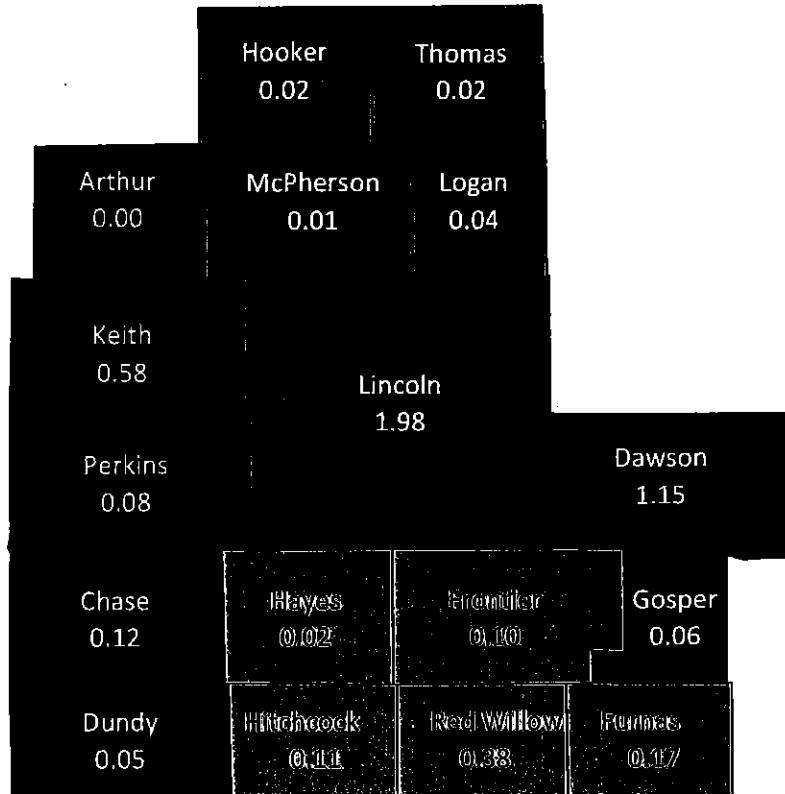


Weighted Caseload Report

11th Judicial District – County Court

County court need for judges: 4.89
 Current number of judges: 5
 Workload per judge: 0.98

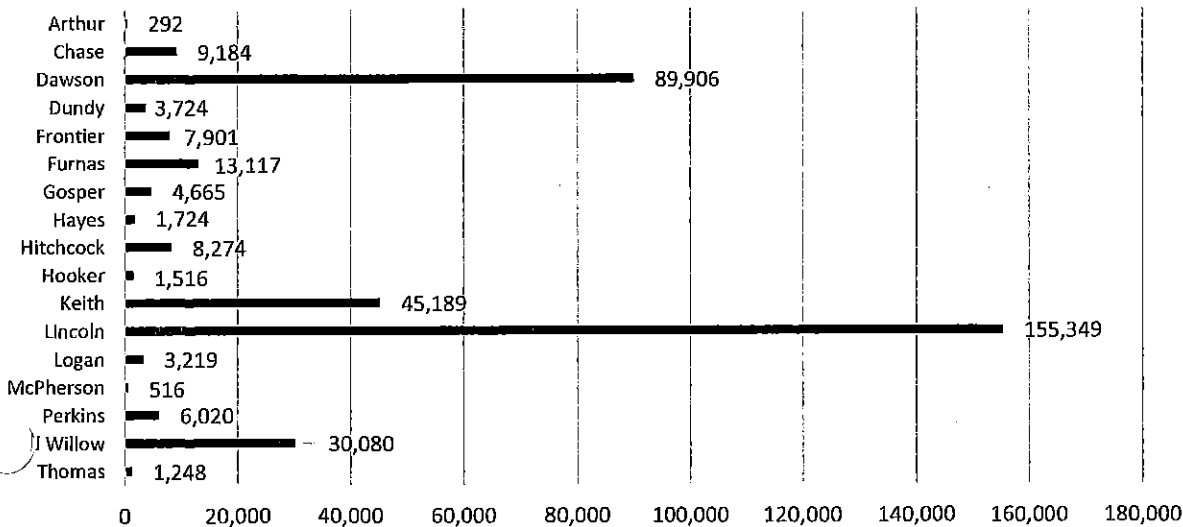
Predicted judicial resources need by county



Judges Serving the 11th District

- Jay***
- Hooker
- Lincoln
- Logan
- McPherson
- Thomas
- Conflict Cases in Keith
- Paine***
- Frontier
- Furnas
- Hayes
- Hitchcock
- Red Willow
- Conflict Cases in Dawson
- Roberts-Connick**
- Lincoln
- Conflict Cases in Dawson
- Steenburg**
- Arthur
- Chase
- Dundy
- Keith
- Perkins
- Wightman***
- Dawson
- Gosper

County Court Judicial District 11
 Total Workload Minutes
 Sum (cases x weight)



()

()



()

()



Weighted Caseload Report

Court Case Type Categories and Weights – Appendix

District Court Case Types	2021 Case Weight (minutes)
Problem Solving Court Cases	683
Protection Orders	32
Civil	219
Class I Felony	367
Other Criminal	149
Domestic Relations	97
Appeals	343
Administrative Appeals	540
County Court Case Types	2021 Case Weight (minutes)
Protection Orders	32
Felony	26
Misdemeanor	23
District Court: Adult Problem-Solving Court	683
Traffic	1
Civil	8
Probate	61
Guardianship/Conservatorship	133
Small Claims	30
Adoption	92
Domestic Relations	97
Juvenile: 3A Children	487
Juvenile: Delinquency	100
Juvenile: Status Offender 3B	37
Juvenile: Mentally Ill and Dangerous 3C	265
Juvenile: Bridge to Independence (B21)	58
Juvenile: Interstate Compact Hearings/Filings	2
Juvenile: Problem-Solving Court Cases	654
Separate Juvenile Court Case Types	2021 Case Weight (minutes)
Adoption	49
Domestic Relations	26
Juvenile: 3A Children	487
Delinquency	136
Status Offender 3B	54
Mentally Ill and Dangerous 3C	265
Bridge to Independence B21	36
Interstate Compact Hearing/Filings	2
Problem Solving Court Cases	654



Research and Data

Operations Division

Administrative Office of the Courts & Probation

Chief Standing Bear Justice Administration Building

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NEBRASKA JUDICIAL BRANCH

District Courts

Weighted Caseload Report

Fiscal Year 2024

July 1, 2023 to
June 30, 2024

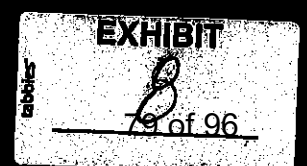


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Weighted Caseload Report

Nebraska District Courts Weighted Caseload Report

Nebraska has a district court in each of its 93 counties, organized into 12 Judicial Districts. Pursuant to Neb. Rev. Stat. § 24-301.02, the Legislature determines the number of district court judges who serve in each judicial district, and the geographic boundaries of each judicial district. An objective assessment of judicial workload allows informed decisions about district boundaries and the number of judges needed to timely resolve the cases in each judicial district.

To assist in evaluating judicial workloads, Neb. Rev. Stat. § 24-1007(1) requires the Nebraska Administrative Office of the Courts and Probation (AOCPP) to compile judicial workload statistics based on caseload numbers weighted by category of case. These weighted caseload statistics are used by the Judicial Branch, the Judicial Resources Commission, and the Legislature to evaluate judicial need, and guide decisions and recommendations on how best to allocate judicial resources across the state.

To ensure the validity, uniformity and accuracy of the AOCPP's judicial workload statistics, a statewide judicial time study was conducted in 2019-2020 under the direction and leadership of the National Center for State Courts. For a full description of the judicial time study and the recommended weighting methodology and standards, see *Nebraska Judicial Workload Assessment Final Report* (October 2020) on the Nebraska Supreme Court Website. Because this Weighted Caseload Report utilizes the methodology and standards from the 2020 workload assessment, direct comparison to archived reports is not recommended.

No quantitative judicial workload assessment method, including the weighted caseload method, can determine the exact number of judges needed within each court. For example, judges may be asked to assist non-home districts to ensure speedy trials for all involved and that one district is not unduly overburdened. **To address this challenge, the Research and Data Team have added an asterisk next to the name of the judges that provided judicial assistance in the last fiscal year (FY 2024) to other districts.**

Weighted caseload statistics approximate the number of judges needed to handle the current caseload based upon the calculations of a three-year rolling average of case filing data. Therefore, when weighted caseload statistics are examined in conjunction with other compelling and critical metrics, they provide a vital part of an objective and standardized assessment of judicial needs and the fair allocation of judicial resources across juvenile courts in the State of Nebraska.



Corey R. Steel | State Court Administrator

Nebraska Supreme Court

Administrative Office of the Courts & Probation

Rm. 1211 State Capitol | P.O. Box 98910 | Lincoln, NE 68509

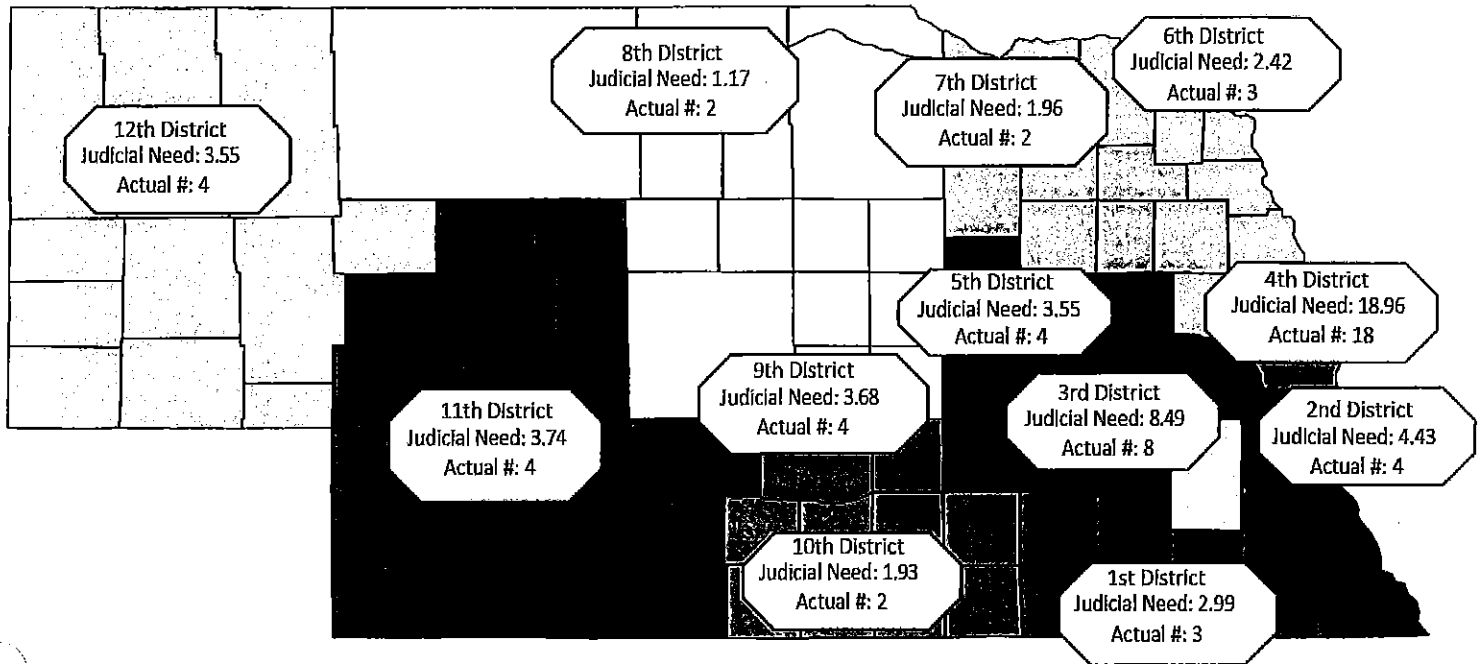
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www.supremecourt.nebraska.gov

Weighted Caseload Report

Nebraska District Court Judicial Needs

Fiscal Year 2024 (July 1, 2023 – June 30, 2024)



Note: Differences between the total District Court Need for Judges and the sum of individual counties is due to rounding to the nearest one-hundredth.

Weighted Caseload Report

1st Judicial District – District Court

District court need for judges: 2.99

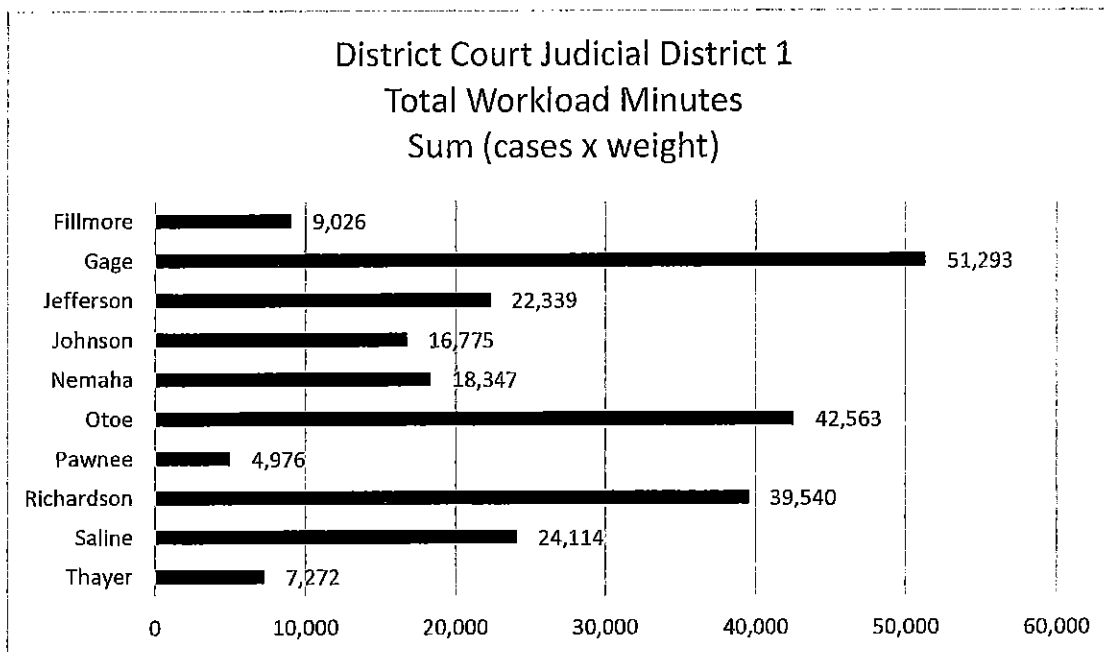
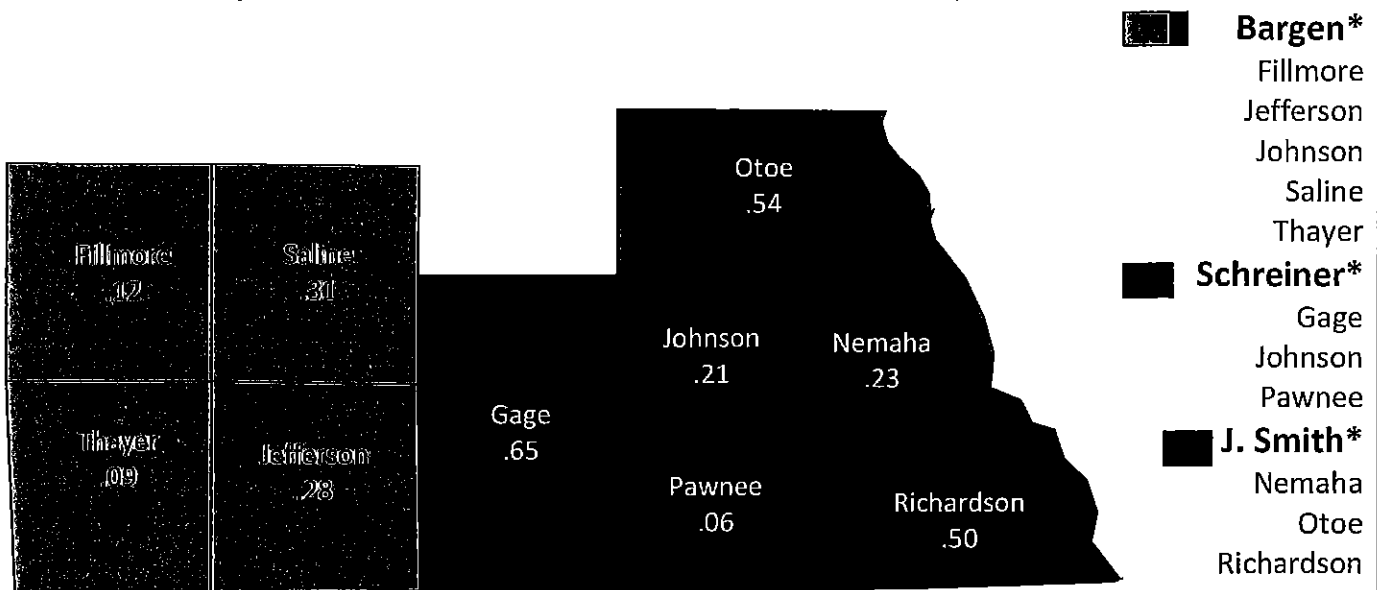
Current number of judges: 3

Workload per judge: 1.00

Notre: Judge Schreiner helps Judge Smith in Nemaha County as Needed

Predicted judicial resources need by county

Judges Serving the 1st District

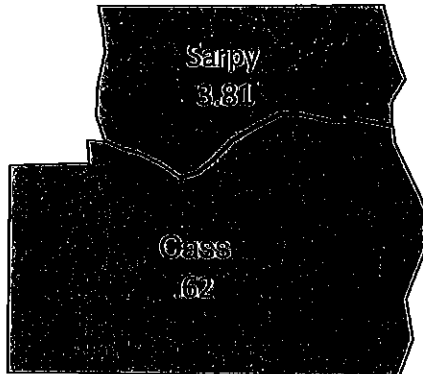


Weighted Caseload Report






2nd Judicial District – District Court

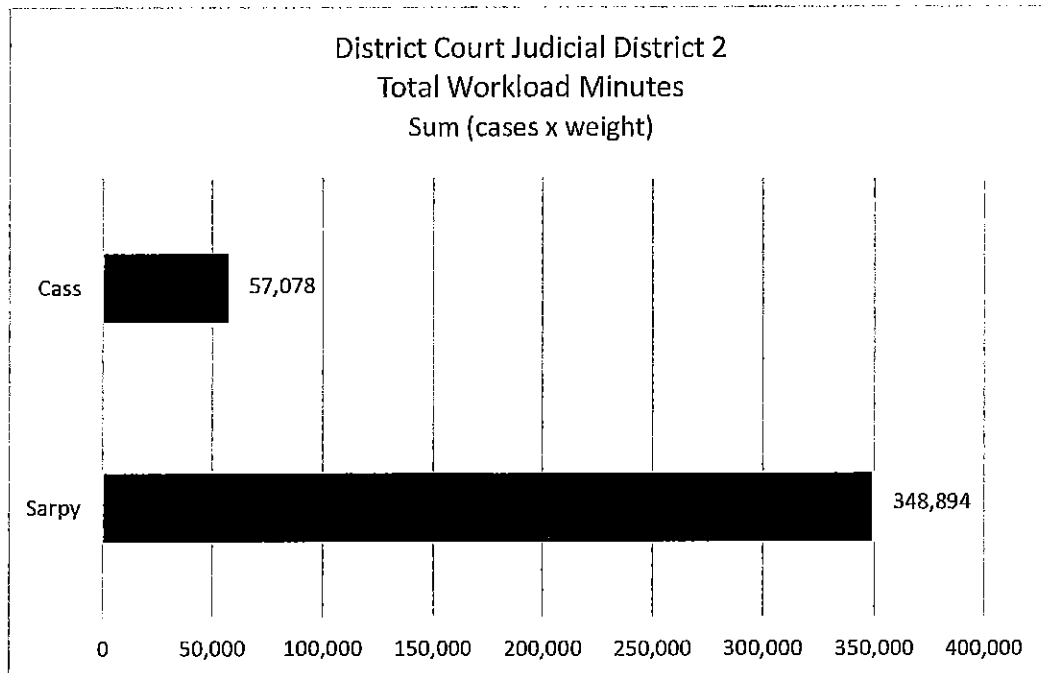
District court need for judges: 4.43
 Current number of judges: 4
 Workload per judge: 1.11

Predicted judicial resources need by county



Judges Serving the 2nd District

	Cox*
	Sarpy
	Martinez*
	Sarpy
	M. Smith*
	Cass
	
	Sarpy
	Thompson*
	Sarpy



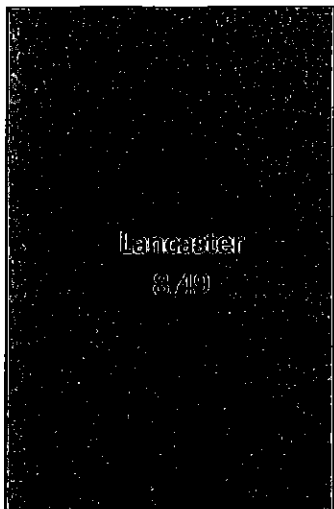
Weighted Caseload Report

3rd Judicial District – District Court

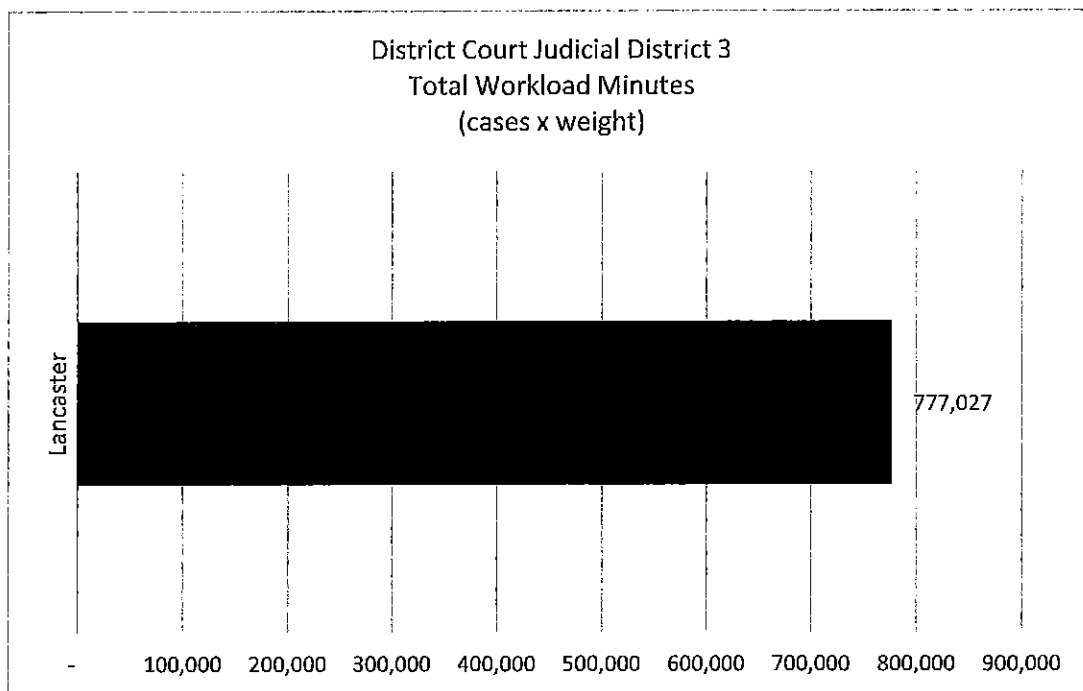
District court need for judges: 8.49
 Current number of judges: 8
 Workload per judge: 1.06

Predicted judicial resources need by county

Judges Serving the 3rd District



Ideus*
 Jacobsen*
 Maret
 McManaman
 Nelson
 Mellor*
 Post*
 Strong*



Weighted Caseload Report

4th Judicial District – District Court

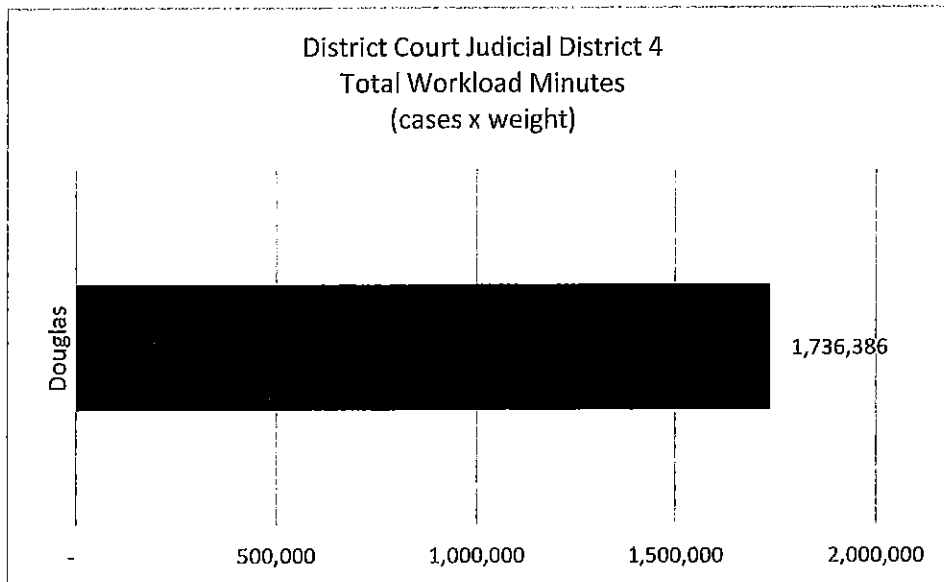
District court need for judges: 18.96
 Current number of judges: 18
 Workload per judge: 1.05

Predicted judicial resources need by county



Judges Serving the 4th District

Alioth*
Bataillon*
Benson*
Bowie*
Burns*
Derr*
Dougherty*
Engleman*
Keane*
Lux*
Masteller*
Miller Pankonin
Polk
Retelsdorf
Srb*
Stratman
Vaughn*
Wheelock

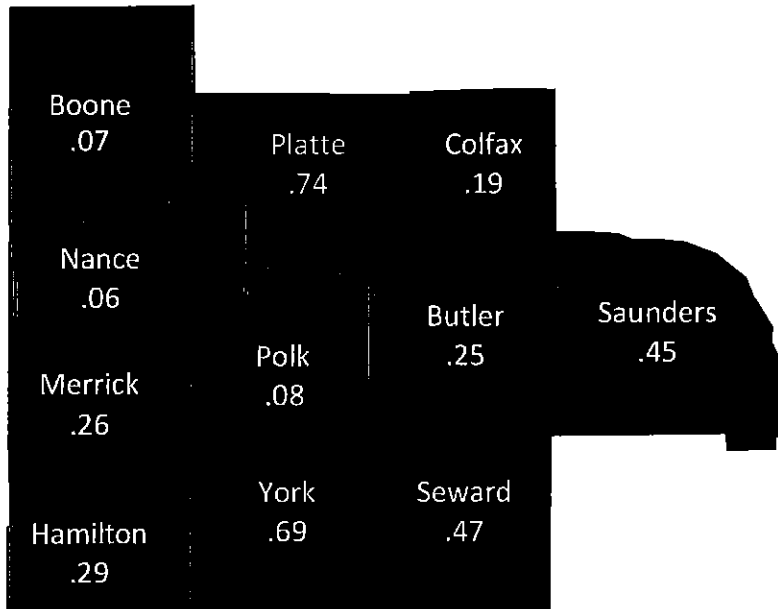


Weighted Caseload Report

5th Judicial District - District Court

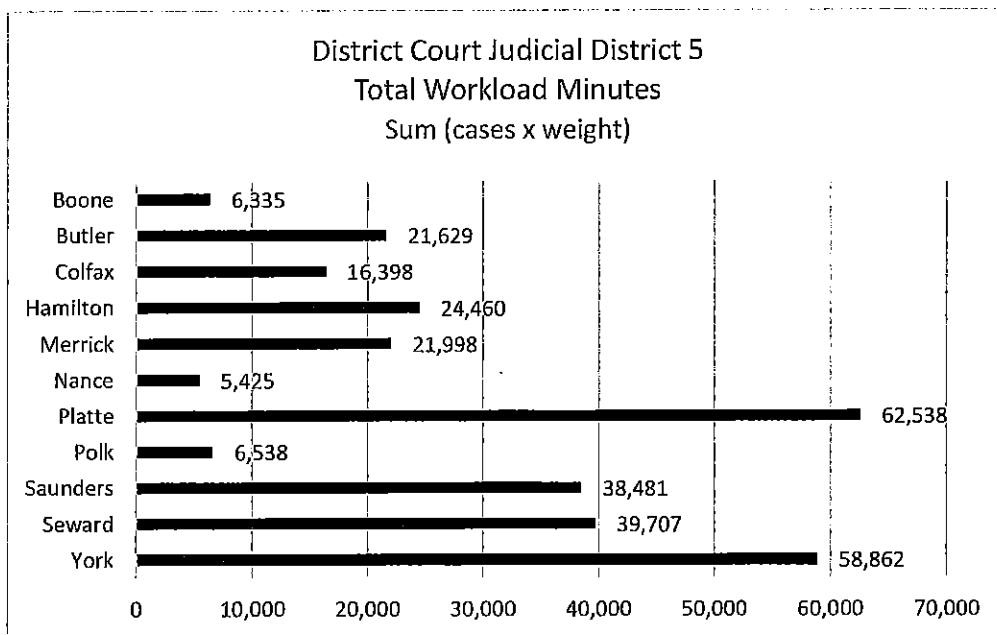
District court need for judges: 3.55
 Current number of judges: 4
 Workload per judge: 0.89

Predicted judicial resources need by county



Judges Serving the 5th District

- Bergevin***
Platte
- Daugherty***
Boone
Hamilton
Merrick
Nance
Polk
- Marroquin***
Butler
Colfax
Saunders
- Stecker***
Seward
York

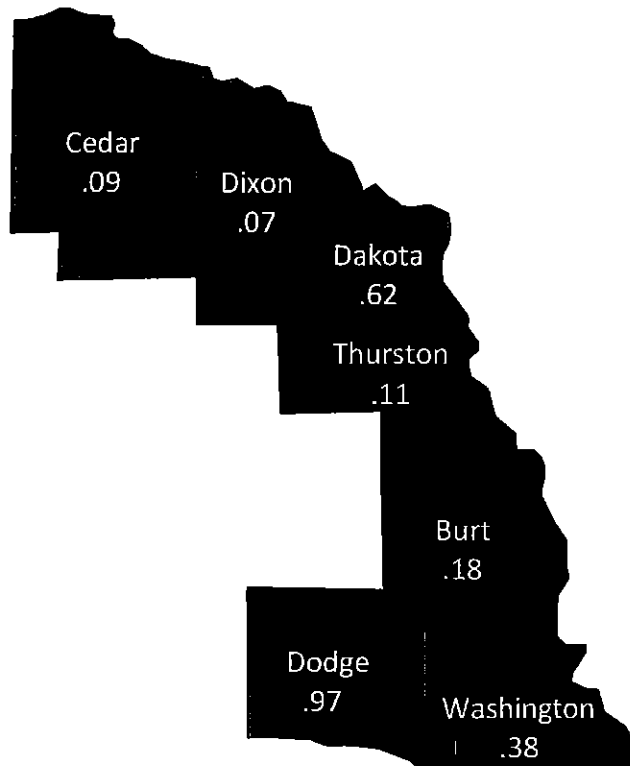


Weighted Caseload Report

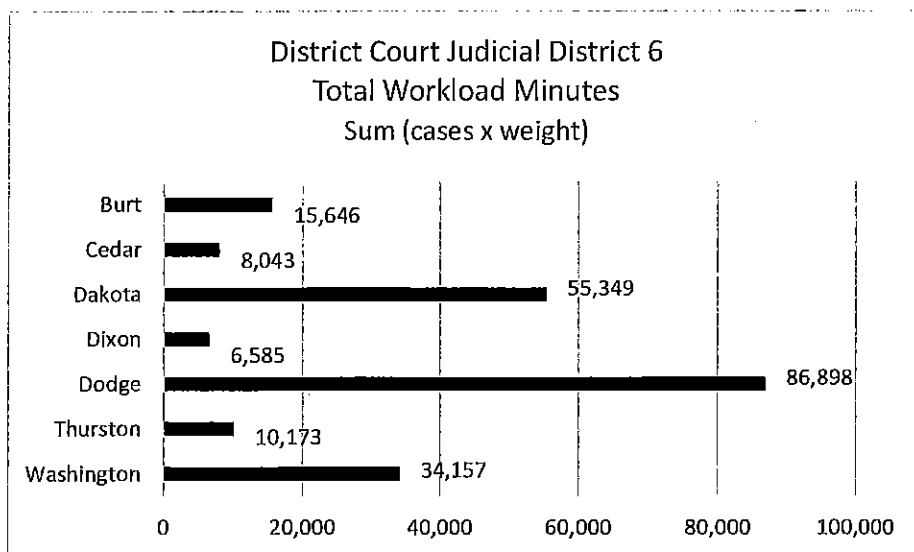
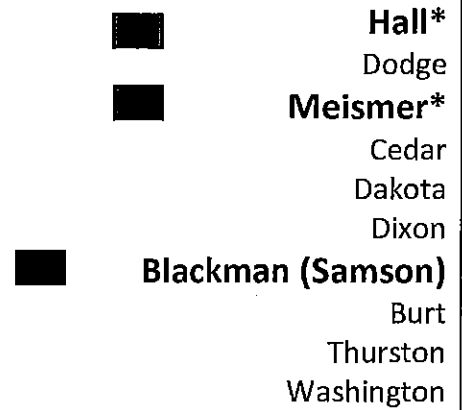
6th Judicial District – District Court

District court need for judges: 2.42
 Current number of judges: 3
 Workload per judge: 0.81

Predicted judicial resources need by county



Judges Serving the 6th District

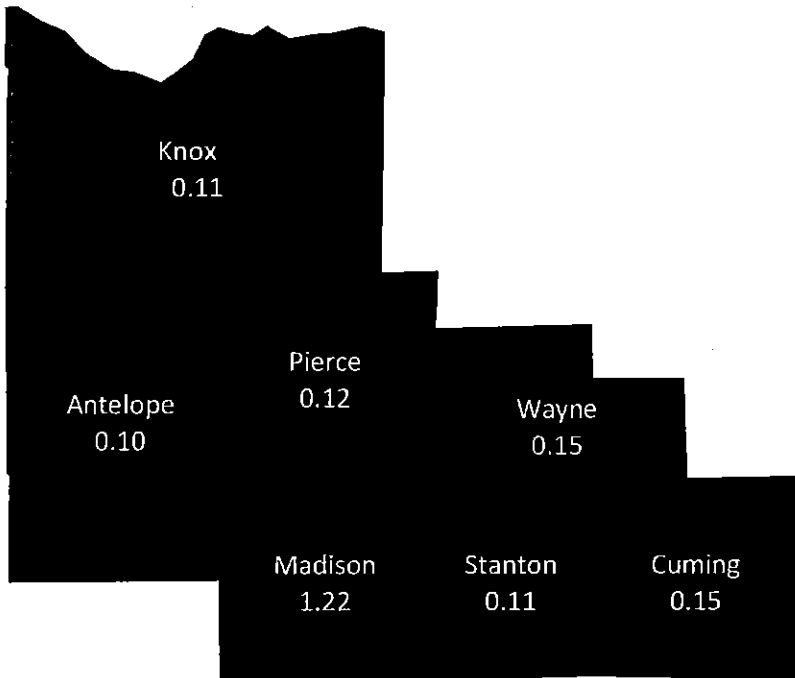


Weighted Caseload Report

7th Judicial District – District Court

District court need for judges: 1.96
 Current number of judges: 2
 Workload per judge: 0.98

Predicted judicial resources need by county



Judges Serving the 7th District

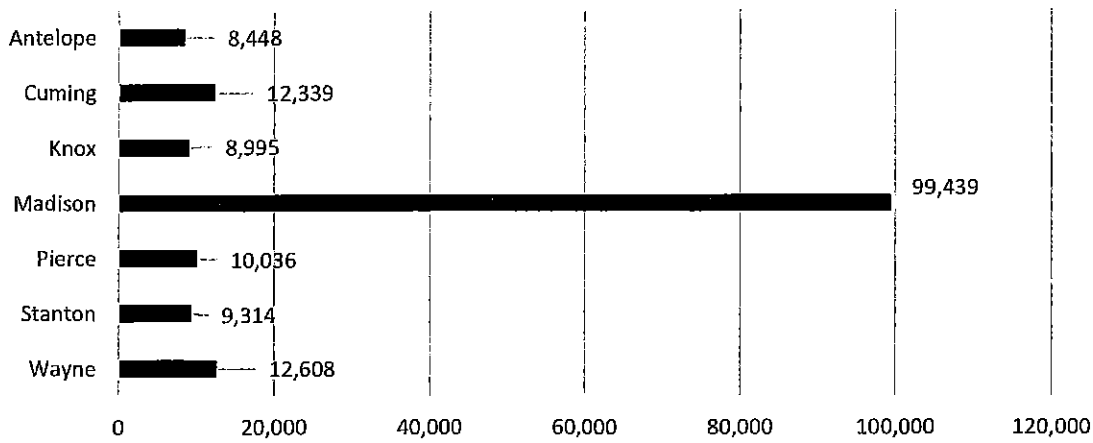
M. Johnson*

Cuming
 Madison
 Pierce
 Wayne

Kube*

Antelope
 Knox
 Madison
 Stanton

District Court Judicial District 7
 Total Workload Minutes
 Sum (cases x weight)



Weighted Caseload Report

8th Judicial District – District Court

District court need for judges: 1.17
 Current number of judges: 2
 Workload per judge: 0.59

Predicted judicial resources need by county

Judges Serving the 8th District

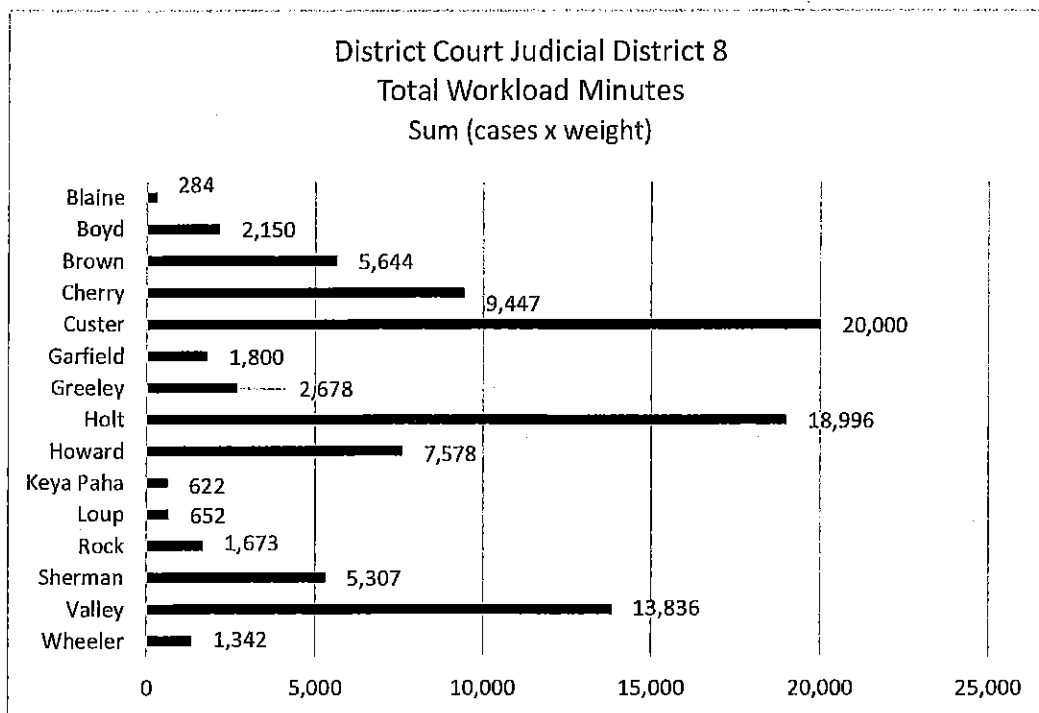


Kozisek*

Blaine
 Boyd
 Brown
 Cherry
 Garfield
 Holt
 Keya Paha
 Loup
 Rock

Noakes*

Custer
 Greeley
 Howard
 Sherman
 Valley
 Wheeler

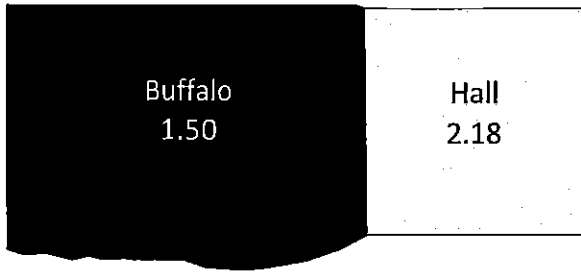


Weighted Caseload Report





9th Judicial District – District Court

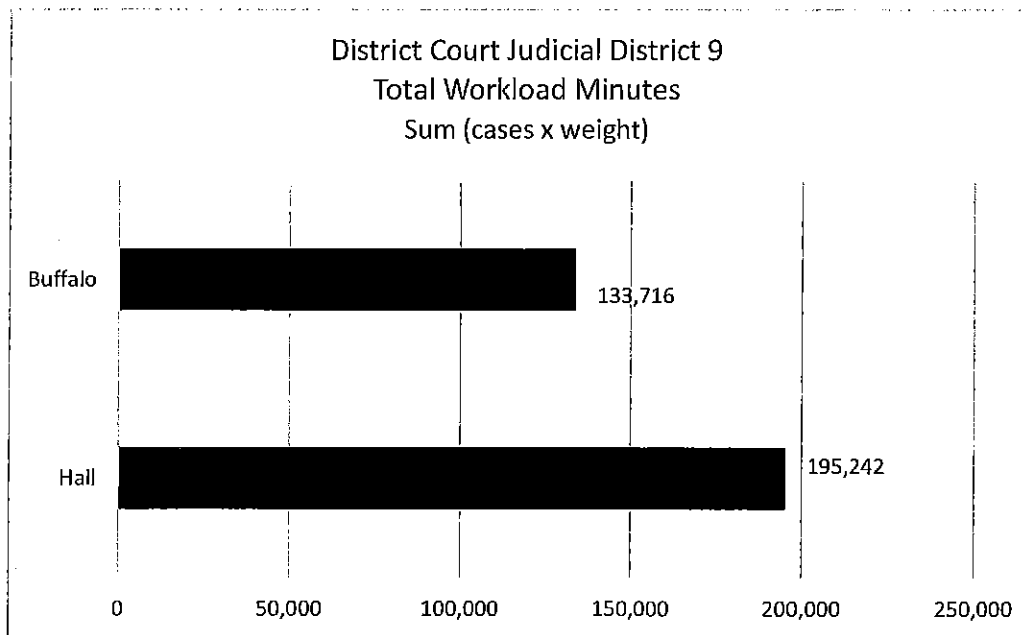
District court need for judges: 3.68
 Current number of judges: 4
 Workload per judge: 0.92

Predicted judicial resources need by county



Judges Serving the 9th District

	Butler*
	Hall
	Carson
	Buffalo
	Hall
	Lee*
	Hall
	Marsh*
	Buffalo
	Hall



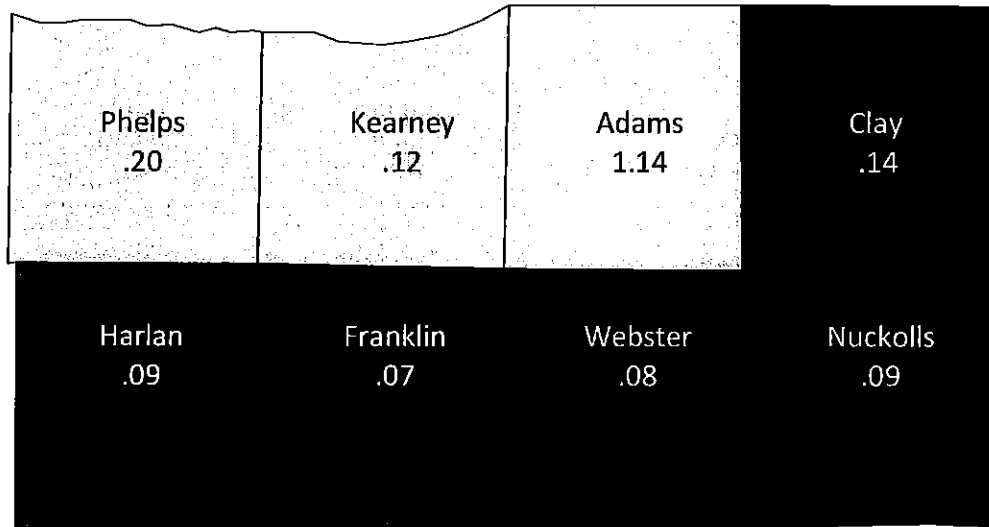
Weighted Caseload Report

10th Judicial District – District Court

District court need for judges: 1.93
 Current number of judges: 2
 Workload per judge: 0.97

Predicted judicial resources need by county

Judges Serving the 10th District

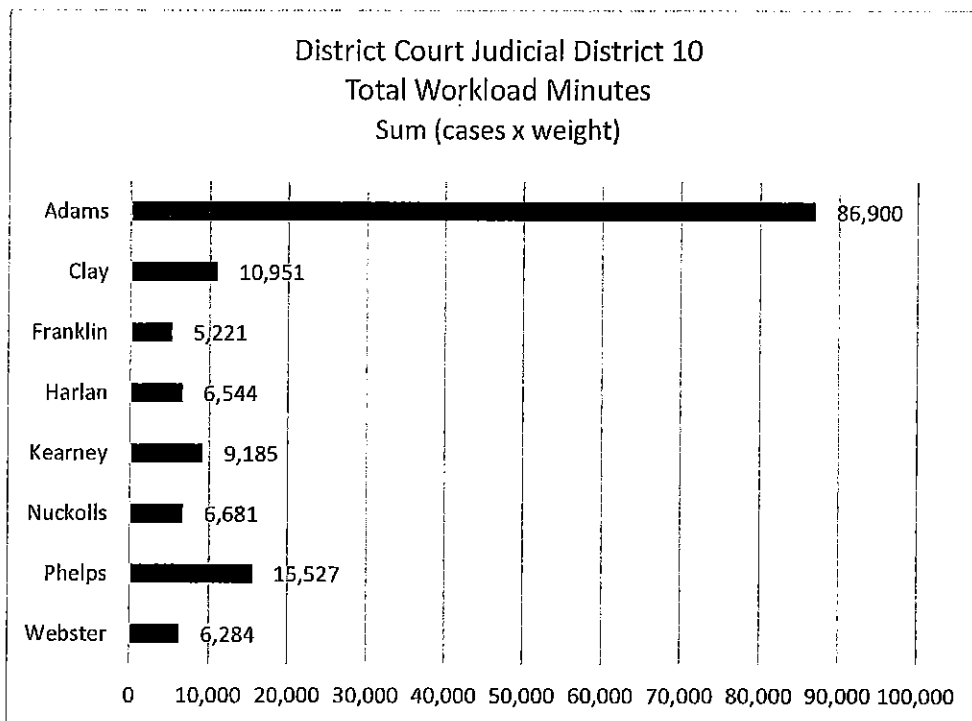


Farquhar*

Adams
 Clay
 Kearney
 Nuckolls
 Phelps
 Webster

Vacant (Harder)

Adams
 Franklin
 Harlan
 Kearney
 Phelps
 Webster

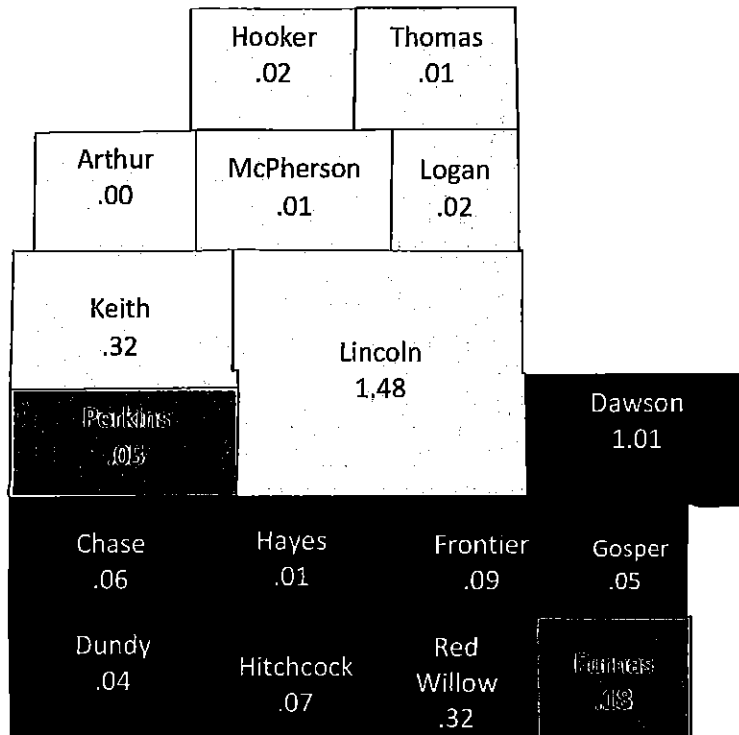


Weighted Caseload Report

11th Judicial District – District Court

District court need for judges: 3.74
 Current number of judges: 4
 Workload per judge: 0.94

Predicted judicial resources need by county



Judges Serving the 11th District



Heng*

Chase
Dundy
Frontier
Furnas
Hayes
Hitchcock
Red Willow

Neher

Dawson
Furnas
Gosper

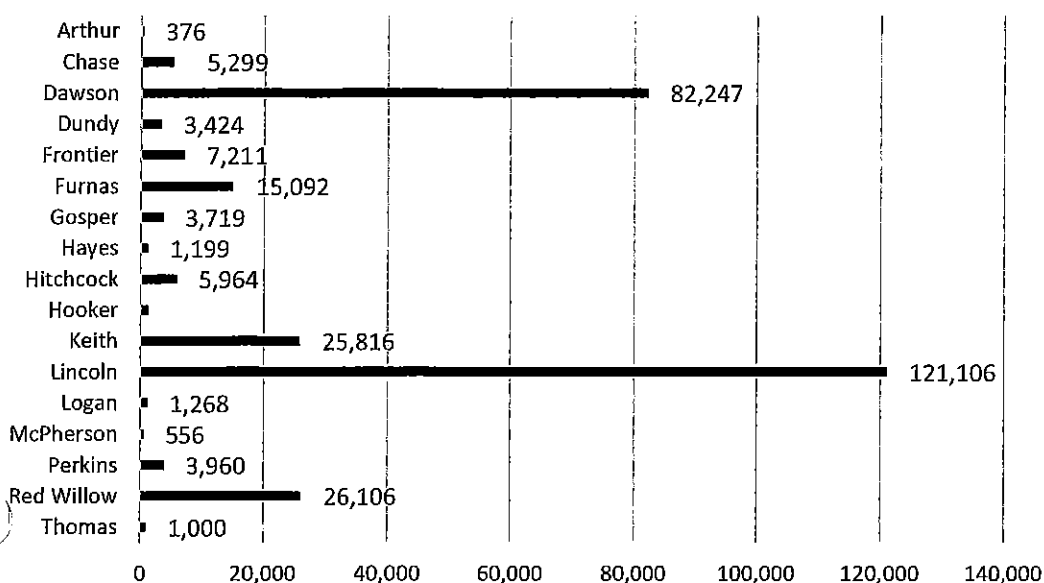
Piccolo*

Arthur
Hooker
Keith
Lincoln
Logan
McPherson
Thomas

Volkmer*

Arthur
Hooker
Keith
Lincoln
Logan
McPherson
Perkins
Thomas

District Court Judicial District 11
 Total Workload Minutes
 Sum (cases x weight)

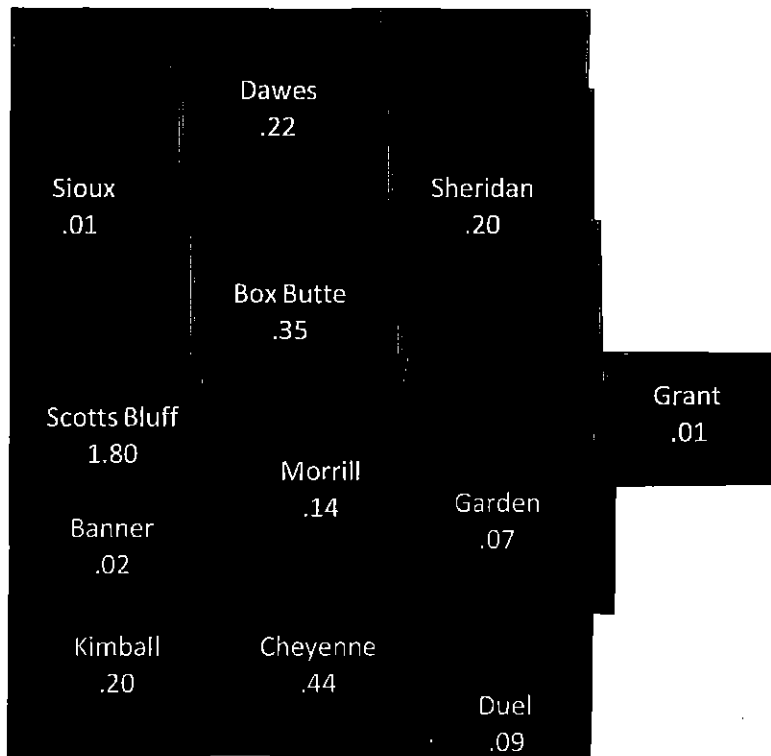


Weighted Caseload Report

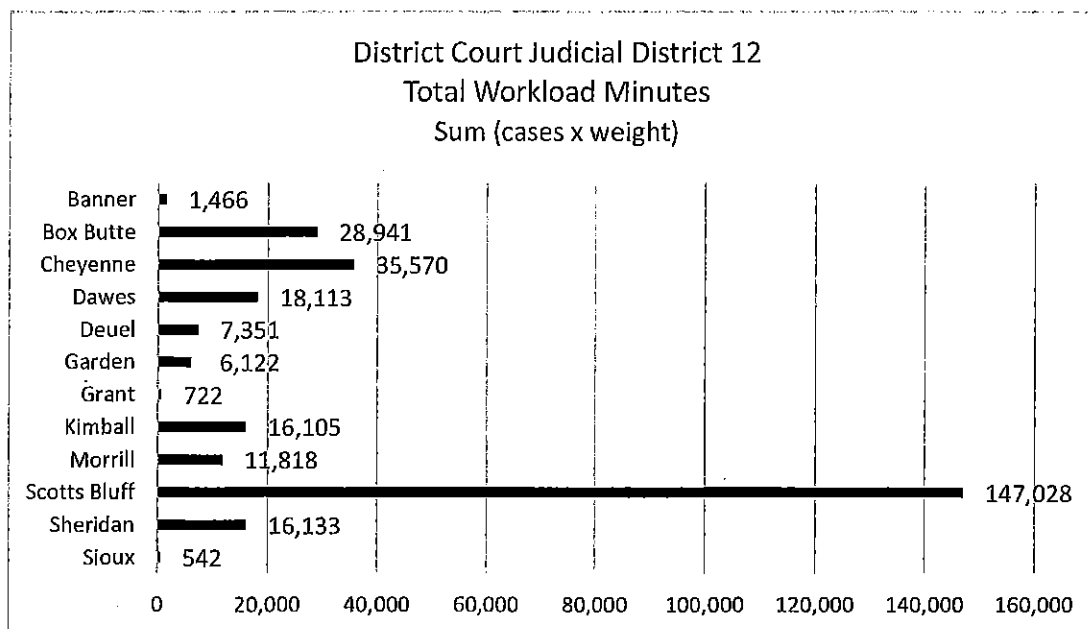
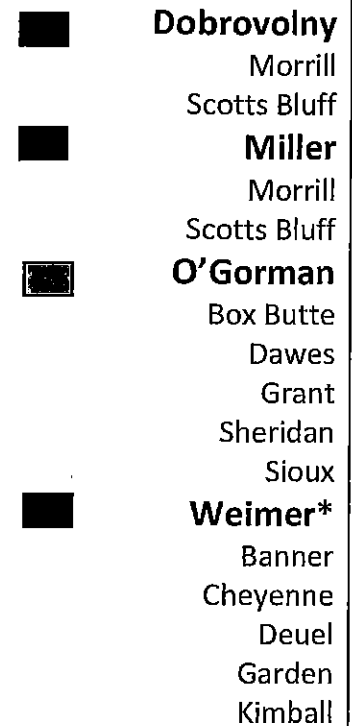
12th Judicial District – District Court

District court need for judges: 3.55
 Current number of judges: 4
 Workload per judge: 0.89

Predicted judicial resources need by county



Judges Serving the 12th District



Weighted Caseload Report

Court Case Type Categories and Weights – Appendix

District Court Case Types	2022 Case Weight (minutes)
Problem Solving Court Cases	683
Protection Orders	32
Civil	219
Class I Felony	367
Other Criminal	149
Domestic Relations	97
Appeals	343
Administrative Appeals	540
County Court Case Types	2022 Case Weight (minutes)
Protection Orders	32
Felony	26
Misdemeanor	23
District Court: Adult Problem-Solving Court	683
Traffic	1
Civil	8
Probate	61
Guardianship/Conservatorship	133
Small Claims	30
Adoption	92
Domestic Relations	97
Juvenile: 3A Children	487
Juvenile: Delinquency	100
Juvenile: Status Offender 3B	37
Juvenile: Mentally Ill and Dangerous 3C	265
Juvenile: Bridge to Independence (B21)	58
Juvenile: Interstate Compact Hearings/Filings	2
Juvenile: Problem-Solving Court Cases	654
Separate Juvenile Court Case Types	2022 Case Weight (minutes)
Adoption	49
Domestic Relations	26
Juvenile: 3A Children	487
Delinquency	136
Status Offender 3B	54
Mentally Ill and Dangerous 3C	265
Bridge to Independence B21	36
Interstate Compact Hearing/Filings	2
Problem Solving Court Cases	654



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