

MINUTES OF THE MEETING  
OF  
THE NEBRASKA JUDICIAL RESOURCES COMMISSION  
May 14, 2013

A meeting of the Nebraska Judicial Resources Commission was held on the 14th day of May, 2013, in Room 1507, State Capitol, with Commission members attending in person and at remote sites at Omaha, Hastings, and North Platte.

Judge McCormack called the meeting to order in Room 1507, State Capitol Building in Lincoln, Nebraska, at the hour of 9:30 A.M. Roll call by the Secretary:

PRESENT

Judge Michael McCormack, Chr.  
Judge Patrick McDermott  
Judge Robert O'Neal  
Judge John Samson  
Riko Bishop  
Mark Sipple  
Amy Schlichting  
Brian Phares  
Steven Mattoon  
Robert Parker  
Thomas Hoarty  
Richard Carter  
Wayne Mark  
Mike Day  
Jayne Mann

ABSENT

Lori Scherer  
Darlene Starman

The Chairman called for approval of the minutes of the meeting of April 2, 2013. Moved by Jayne Mann, second by Judge O'Neal that the minutes be approved. Voting yes, all present.

Chairman announced that the purpose of the hearing was to consider whether or not the caseload statistics warranted the filling of the judicial vacancy arising from the retirement of Judge Evans of the 5<sup>th</sup> District County Court.

The Chairman identified and received into the record Exhibits 1 through 6.

The Chairman then called for consideration of the vacancy in the County Court of the 5th Judicial District of Nebraska, as a result of the retirement of Judge Evans. The Chairman called for testimony. Testimony in favor of filling the vacancy was received by the Commission. There was no testimony in opposition. It was moved by Mark Sipple and seconded by Jayne Mann that the vacancy in the office of County Judge of the 5th Judicial District be filled. Voting yes, all present. Judge McDermott abstained. Motion carried.

It was moved by Riko Bishop, and seconded by Mark Sipple, that the primary office of the judge be located at either York, York County, Nebraska, or Central City, Merrick County, Nebraska. After discussion a roll call vote was taken. Voting yes, Judge O'Neal, Riko Bishop, Steven Mattoon, Mark Sipple, Mike Day, and Jayne Mann. Voting no, Judge McCormack, Judge Samson, Thomas Hoarty, Wayne Mark, Robert Parker, Richard Carter, Brian Phares, and Amy Schlichting. Judge McDermott abstained. Motion failed.

It was moved by Mark Sipple, and seconded by Amy Schlichting, that the primary office of the judge be located at Central City, Merrick County, Nebraska. After discussion a roll call vote was taken. Judge McDermott abstained. Voting yes, all present. Motion carried.

Judge McDermott then reported that the statistical analysis of his proposal to conform the county court districts to the present Supreme Court districts did not achieve the desired result. The larger districts did not smooth the caseload statistics as hoped, and the result achieved is the same as you obtain by analyzing the present district boundaries. Judge McDermott observed that it took quite a bit of time to accomplish the study and often the Commission did not have such time, and moved that the Commission request that the Administrative Office of the Courts to conduct a survey of sitting judges to determine their estimate of retirement plans so that the Commission could take a longer view of judicial requirements. The motion was seconded by Judge O'Neal. Roll call vote was taken. Voting yes, all present.

There being no further business to come before the Commission, it was moved by Brian Phares and seconded by Riko Bishop, that the Commission stand adjourned. Voting yes, all present. Motion carried. Meeting adjourned.

Respectfully submitted:

A handwritten signature in black ink, reading "Patrick R. McDermott". The signature is written in a cursive, flowing style with a large, stylized "P" and "M".

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Judge Patrick McDermott, Secretary