MINUTES OF THE ANNUAL MEETING
OF
THE NEBRASKA JUDICIAL RESOURCES COMMISSION
December 10, 2020

The annual public hearing of the Nebraska Judicial Resources Commission was held on the 10th day of December, 2019, in Room 1510, State Capitol Building, in Lincoln, Nebraska. Justice Stacy called the meeting to order at 1 p.m. The meeting included videoconferencing for commissioners via WebEx.

Roll call by the Chair:

PRESENT	ABSENT
Justice Stephanie Stacy, Chair	Stephen Bader
Judge Matthew Kahler	
Judge Anne Paine	
Judge John Samson	
Charles Conrad	
William Dittrick	
Timothy Engler	
Roxanne Kracl	
Michael McCarthy	
Christopher Nielsen	
Robert Parker	
Brian Phares	
Lori Scherer	
Robert Slovek	
Darlene Starman	
Jacqueline Tessendorf	

The Chair confirmed that all Commission members had received and reviewed the minutes from the last meeting on September 17, 2020. It was moved by Brian Phares and seconded by Lori Scherer that the minutes be accepted. On an oral vote, with one abstention, commissioners accepted the minutes of September 17, 2020.

The following exhibits were examined and considered by the Commission during either the Annual Meeting portion of the agenda, or when considering specific judicial vacancies also on the agenda:

1. Agenda
2. Minutes 9-17-20 with attachments
3. Judge Timm's retirement letter
4. Judge Colborn's retirement letter
5. Judge Caster Senff's retirement announcement
6. NSBA letter on judicial retirements

7. Nebraska County Judge's Association letter
8. Judge Daugherty's letter - 5th
9. Judge Caster Senff's letter 5th
10. Ross Luzum letter - 5th
11. Letter from Allen Fankhauser - 1st
12. Email from Mike Murphy - 5th
13. County Court Caseload FY2020
14. District Court Caseload FY2020
15. Separate Juvenile Court Caseload FY2020
16. FY2020 County Court Weighted Caseload Report
17. FY2020 District Court Weighted Caseload Report
18. FY2020 Separate Juvenile Court Weighted Caseload Report
19. Nebraska Judicial Workload Assessment Final Report

All exhibits listed above are attached to these minutes, with the exception of the Annual Caseload Reports, the Weighted Caseload Reports, and the Nebraska Judicial Workload Assessment Final Report, all of which are published and available on the Supreme Court's website.

ANNUAL MEETING AGENDA: The Commission was briefed on the comprehensive judicial workload assessment conducted in 2019-2020 by the National Center for State Courts, including review of the new methodology and case weights approved by the Nebraska Supreme Court. The Commission considered the Weighted Caseload Reports for FY2020, which were published shortly before the annual hearing, using the new methodology and case weights. The Commission also considered the FY2020 Annual Caseload Reports and was briefed on caseload trends in the district, county, and separate juvenile courts.

The Commission received no recommendations or requests from judges, members of the bar, or the public, suggesting it was appropriate to add or reduce a judgeship in any court, or to change judicial district boundaries or the number of judicial districts. However, it was noted that the impact of the new weighted caseload standards was not yet widely known, as reports using those standards were only recently published.

Commissioners discussed how to improve both the solicitation and the development of possible recommendations prior to the Annual Meeting. Suggestions included (1) encouraging individual commissioners to communicate with their local judges and lawyers throughout the year and invite specific recommendations, (2) inviting the NSBA Judicial Resources Commission to bring formal recommendations to the Annual Meeting, (3) and forming a

subcommittee to explore possible redistricting options and bring recommendations for consideration during the Annual Meeting. The Commission will continue discussions on how to encourage the development of specific recommendations prior to the annual hearing.

After expressly considering each of the issues set out in Neb. Rev. Stat. § 24-1205, the following motions were made:

1. It was moved by William Dittrick and seconded by Robert Slovek that the Commission recommend adding a 7th judgeship in the Separate Juvenile Court for Douglas County. After some discussion, commissioners determined it would be helpful to solicit input from the affected judges and lawyers on the impact of the new weighted caseload reports, and to carefully watch developing caseload trends, before making any specific recommendations for change. A subsidiary motion was made by Judge Kahler and seconded by Brian Phares to lay the matter over for further discussion at the next quarterly meeting of the Commission. On a roll call vote, the subsidiary motion passed unanimously.

2. It was moved by William Dittrick and seconded by Brian Phares that the Commission recommend adding an 18th judgeship in the district court for the 4th Judicial District. After some discussion, commissioners determined it would be helpful to solicit input from the affected judges and lawyers on the impact of the new weighted caseload reports, the addition of the 17th judgeship in July 2021, and to carefully watch developing caseload trends, before making any specific recommendations for change. A subsidiary motion was made by Judge Kahler and seconded by Judge Paine to lay the matter over for further discussion at the next quarterly meeting of the Commission. On a roll call vote, the subsidiary motion passed unanimously.

JUDICIAL RETIREMENT IN COUNTY COURT, 1ST JUDICIAL DISTRICT: The Commission next considered whether a judicial vacancy exists in the office of the County Court in the 1st Judicial District as a result of the retirement of Judge Steven B. Timm, effective October 31, 2020. Testimony was offered in support of declaring the vacancy by: Corey Steel; Liz Neeley and attorney Robert Schafer. There was no testimony offered in opposition to declaring a vacancy.

It was moved by Timothy Engler and seconded by Darlene Starman that a vacancy be declared in the County Court of the 1st Judicial District, and that the Commission recommend a primary office

location of Beatrice, Gage County, Nebraska. On a roll call vote, motion carried unanimously.

JUDICIAL RETIREMENT IN DISTRICT COURT, 3RD JUDICIAL DISTRICT: The Commission next considered whether a judicial vacancy exists in the office of the District Court in the 3rd Judicial District as a result of the retirement of Judge John A. Colborn, effective October 31, 2020. Testimony was offered in support of declaring the vacancy by: Corey Steel and Liz Neeley. There was no testimony offered in opposition to declaring a vacancy.

It was moved by Timothy Engler and seconded by Darlene Starman that a vacancy be declared in the District Court of the 3rd Judicial District, and that the Commission recommend a primary office location of Lincoln, Lancaster County, Nebraska. On a roll call vote, motion carried unanimously.

JUDICIAL RETIREMENT IN COUNTY COURT, 5th JUDICIAL DISTRICT: The Commission next considered whether a judicial vacancy exists in the office of the County Court in the 5th Judicial District as a result of the retirement of Judge Linda Caster Senff, effective October 31, 2020. Testimony was offered in support of declaring the vacancy by: Corey Steel, Liz Neeley, Judge C. Jo Petersen, York County Attorney John Lyons, attorney Benjamin Dennis, attorney Kelly Thomas and York County Sheriff Captain Joshua Gillespie. There was no testimony offered in opposition to declaring a vacancy.

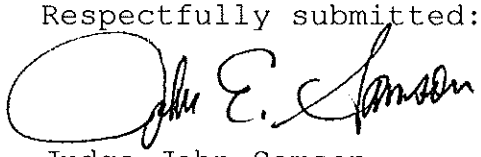
It was moved by Brian Phares and seconded by Judge Anne Paine that a vacancy be declared in the County Court of the 5th Judicial District, and that the Commission recommend a primary office location in either Aurora, Hamilton County, Nebraska or York, York County, Nebraska, at the discretion of the applicant selected to fill the vacancy. On a roll call vote, the motion carried unanimously.

OTHER MATTERS:

1. The chair provided tentative quarterly meeting dates for 2021, and indicated that final dates would be confirmed once the availability of the Legislative hearing room could be determined. The tentative 2021 meeting dates are: February 12, June 4, September 10, and December 10. A quarterly schedule may not eliminate the need for additional meetings under extraordinary circumstances, but it has improved the predictability of JRC meetings and enabled more commissioners to participate.

There being no other matters brought before the Commission, the Chair asked whether there was any objection to adjourning. There being none, the meeting was adjourned.

Respectfully submitted:



Judge John Samson
Secretary

ANNUAL MEETING AGENDA
JUDICIAL RESOURCES COMMISSION

DECEMBER 10, 2020 – 1 p.m., central time
ROOM 1510, STATE CAPITOL BUILDING
LINCOLN, NEBRASKA

I. Roll call of members by secretary

II. Approve minutes of last meeting

III. Review of Annual Caseload and Weighted Caseload Reports
- (a) Overview of current reports
- (b) Explore trends
- (c) State-wide view of judicial resources
- (d) Post-mortem on judicial time study

IV. Reports from the Bench
- (a) Chief Justice
- (b) State Court Administrator
- (c) Trial Judges

V. Reports from the Bar
- (a) Nebraska State Bar Association

VI. Reports from the Public

VII. Annual Meeting topics under Neb. Rev. Stat. § 24-1205

- (a) Whether a new judgeship is appropriate in any judicial district
- (b) Whether a reduction in judgeships is appropriate in any judicial district
- (c) Whether the judicial district boundaries or the number of judicial districts should be changed for the district or county courts
- (d) Whether, after examining current caseload statistics, the JRC has any recommendations for the more balanced use of existing judicial resources.

VIII. Due to the retirement of Judge Steven B. Timm, effective October 31, 2020, the Commission will determine, pursuant to Neb. Rev. Stat. § 24-1204 and § 24-1206, whether a judicial vacancy exists in the office of the County Court, 1st Judicial District, and if so to make a recommendation to the Supreme Court as to the primary place of office of said vacancy.

IX. Due to the retirement of Judge John A. Colborn, effective October 31, 2020, the Commission will determine, pursuant to Neb. Rev. Stat. § 24-1204 and § 24-1206,

whether a judicial vacancy exists in the office of the District Court, 3rd Judicial District, and if so to make a recommendation to the Supreme Court as to the primary place of office of said vacancy.

X. Due to the retirement of Judge Linda Caster Senff, effective October 31, 2020, the Commission will determine, pursuant to Neb. Rev. Stat. § 24-1204 and § 24-1206, whether a judicial vacancy exists in the office of the County Court, 5th Judicial District, and if so to make a recommendation to the Supreme Court as to the primary place of office of said vacancy.

XI. Other business

(a) Report on new videoconferencing locations
(b) Report on JRC Rules update
(c) Quarterly meeting schedule for 2021

XII. Adjourn

MINUTES OF THE MEETING
OF
THE NEBRASKA JUDICIAL RESOURCES COMMISSION
September 17, 2020

A public meeting of the Nebraska Judicial Resources Commission was held on the 17th day of September, 2020, in Room 1510, State Capitol Building, in Lincoln, Nebraska, with some Commission members attending by videoconference as provided by law.

The Chair called the meeting to order in Room 1510 at the hour of 1 p.m. Roll call by the Chair showed the following members in attendance:

PRESENT
Justice Stephanie Stacy, Chair
Judge Matthew Kahler
Judge Anne Paine
Judge John Samson
William Dittrick
Timothy Engler
Roxanne Kracl
Michael McCarthy
Christopher Nielsen
Robert Parker
Brian Phares
Lori Scherer
Jacqueline Tessendorf

EXCUSED
Charles Conrad
Robert Slovek
Darlene Starman

ABSENT
Stephen Bader

It was moved by Timothy Engler and seconded by Brian Phares that the minutes of the June 25, 2020 be approved. All present voting yes, the minutes were accepted.

The Chair announced that the purpose of the public meeting was to determine: (1) whether a judicial vacancy exists in the office of the County Court of the 6th Judicial District as a result of the retirement of Judge Kurt T. Rager and, and if so, to recommend the primary office location of such vacancy; and (2) to determine whether a judicial vacancy exists in the office of the Separate Juvenile Court for Lancaster County as a result of the retirement of Linda S. Porter, effective August 31, 2020.

Exhibits 1-18 were identified and received for purposes of the hearing.

The commission first took up whether a judicial vacancy exists in the office of the County Court of the 6th Judicial District as a result of the retirement of Judge Kurt T. Rager. Testimony was offered in support of declaring the vacancy; there was no testimony offered in opposition to declaring a vacancy. It was moved by Brian Phares and seconded by Timothy Engler that a vacancy be declared in the office of County Court of the 6th Judicial District, and that the primary office location should be in Dakota City, Dakota County, Nebraska. Voting yes, all present. Motion unanimously carried. After the vote, Bob Parker was excused from the remainder of the meeting.

The commission next took up whether a judicial vacancy exists in the office of the Separate Juvenile Court for Lancaster County as a result of the retirement of Linda S. Porter. Testimony was offered in support of declaring the vacancy; no testimony was offered in opposition to declaring a vacancy. It was moved by Timothy Engler and seconded by Judge Matthew Kahler that a vacancy be declared in the office of Separate Juvenile Court for Lancaster County. Voting yes, 11; 1 abstention. Motion carried.

There being no objection to adjournment, the Chair thanked commissioners for their attendance and the meeting was adjourned.

Respectfully submitted:

Hon. John Samson
Secretary

First Judicial District, Gage County Court

Judge Steven B. Timm
Judge Curtis L. Maschman
Judge Linda A. Bauer

Clerk Magistrate Sherri Ullman
612 Grant Street, Room 17, Beatrice, NE 68310
Phone (402) 223-1323

September 8, 2020

Hon. Pete Ricketts
Office of the Governor
PO Box 94848
Lincoln, NE 68509-4848

Dear Governor Ricketts:

It is my intention to retire from the First Judicial District County Court on October 31, 2020. It has been an honor and a pleasure to serve the citizens of Southeast Nebraska.

Since my appointment by Governor Thone, I have had the opportunity to observe the judicial branch grow, improve, and strive to meet our special obligation to provide "Equality Before the Law" in accordance with the state motto.

My thanks go to the court staff who are extraordinarily dedicated and competent; to the attorneys who teach me every day; and to my friends on the district and county court bench who are quick to give advice – often conflicting – whenever I encounter an especially thorny legal issue.

Sincerely,

Steven B. Timm
County Judge

c: Hon. Michael G. Heavican
Corey Steele

JOHN A. COLBORN
District Judge
Lancaster County, Nebraska
Third Judicial District

Diane A. Hughes
Bailiff

The Justice and Law Enforcement Center
575 South 10th Street, Courtroom #31
Lincoln, Nebraska 68508-2810
(402) 441-7303 Fax (402) 441-3833

Amber R. Martin
Court Reporter

August 28, 2020

Governor Pete Ricketts
P.O. Box 94848
State Capitol Building
Lincoln, NE 68509

Re: Retirement

Dear Governor Ricketts:

Please accept this letter as notice of my intention to retire as a district court judge of the Third Judicial District. My last day as a judge will be October 31, 2020.

It has been an honor and privilege to serve the citizens of the state of Nebraska as a district court judge for the last twenty years. It has been a pleasure working with the dedicated judges of the District Court of Lancaster County.

Sincerely,

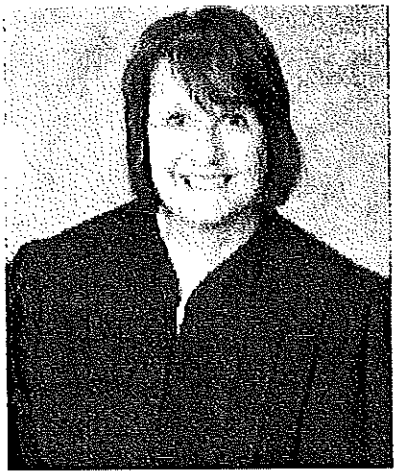
Judge John A. Colborn

cc: Chief Justice Michael Heavican
Corey Steele, Court Administrator

STATE OF NEBRASKA JUDICIAL BRANCH

County Judge Linda Caster Senff to Retire October 31

Wednesday, September 23, 2020



Nebraska County Court Judge Linda Caster Senff, 5th Judicial District, announced her retirement effective October 31, 2020. Senff was appointed to the bench in 2005 and was retained in her position by area voters, most recently in 2014.

In her letter to the Governor and Chief Justice, Senff noted, "I am honored to have been part of the Nebraska Judicial Branch which is full of dedicated judges, lawyers and staff seeking to provide legal services and access to justice for everyone."

During her 15 years on the bench, Senff volunteered on committees for both the Nebraska Supreme Court and the County Judges Association, including service on the Judicial Ethics Committee, Committee on Children and the Courts, and a select 2018 leadership group of judges working to provide consistent and transparent court records.

She is a Nebraska State Bar Foundation Fellow, an honor based on the integrity and character of legal professionals who are dedicated to improving the administration of justice.

The first step in replacing Senff will be for the Judicial Resources Commission to call a meeting to determine whether or not, based on judicial workload statistics, her retirement creates a judicial vacancy on the county court bench of the Fifth Judicial District (Boone, Butler, Colfax, Hamilton, Merrick, Nance, Platte, Polk, Saunders, Seward, & York Counties).

News Reporters:

Judge Caster Senff's Judicial Profile

Replacing a Nebraska Trial Court Judge

Nebraska State Bar Association

"Helping lawyers help people"

November 19, 2020

The Honorable Stephanie F. Stacy
Nebraska Supreme Court Justice
State Capitol, #2219
Lincoln, NE 68509

Dear Justice Stacy:

On behalf of the NSBA Judicial Resources Committee ("the Committee"), I wish to convey to the members of the Judicial Resources Commission our recommendations regarding the vacancy in the District Court of the 3rd Judicial District of Lancaster County, due to the retirement of Judge Colbron, the vacancy in the County Court of the 1st Judicial District, due to the retirement of Steven B. Timm and the vacancy in the County Court of the 5th Judicial District, due to the retirement of Judge Linda Caster Senff.

The Committee met on October 22nd and November 18th virtually 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 2019. 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 vacancy in the District Court of the 3rd Judicial District be filled, with the principle office in Lancaster County. The Committee recommends that the current vacancy in the County Court of the 5th Judicial District be filled, with the principle office in Hamilton or York Counties. The Committee also recommends that the current vacancy in the County Court of the 1st Judicial District be filled, with the principle office in Gage County.

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 December 10th meeting.

Sincerely,

Jill Robb Ackerman

Jill Robb Ackerman
NSBA President

Cc: Corey Steel
Liz Neeley
Susan Sapp

635 South 14th Street ~Ste 200~ Lincoln, Nebraska 68508
(402) 475-7091 ~ FAX (402) 475-7098 ~ www.nebar.com

Nebraska County Judges Association
Caseload & Redistricting Committee

December 1, 2020

Judicial Resources Commission
Attn: Dawn Mussmann
State Capitol Building, 12th Floor
Lincoln, NE 68509

RE: County Court Vacancies in the 1st and 5th Judicial Districts

Hon. Stephanie Stacy, Chair and all members of the Judicial Resources Commission:

The Caseload & Redistricting Committee of the Nebraska County Judges Association urges the Commission to find that judicial vacancies exist in the office of the County Courts of the 1st and 5th Judicial Districts by reason of the recent retirements of Linda Castor-Senff in the 5th, and Steven Timm in the 1st. Such findings are supported by the most recent weighted caseload study, and the actual circumstances in each of the districts. To ensure effective and efficient access to the county courts in those districts, it is important that vacancies be declared and the retiring judges be replaced.

The Caseload & Redistricting Committee thanks Judges Steven Timm and Linda Caster Senff for their dedicated service to the people of the State of Nebraska, and wishes them well in their retirement.

Respectfully,

Hon. Donna F. Taylor
Chairwoman
Caseload & Redistricting Committee

STATE OF NEBRASKA

District Court of Nebraska

FIFTH JUDICIAL DISTRICT

JUDGE RACHEL A. DAUGHERTY
HAMILTON COUNTY COURTHOUSE
P.O. BOX 231
AURORA, NE 68818
402-694-6334
FAX 402-694-6519

JULIE L. BELLIS, RPR, CRR
COURT REPORTER

December 2, 2020

Judicial Resources Commission
c/o Ms. Dawn Mussmann
State Capitol Building, 12th Floor
Lincoln, NE 68509
Dawn.Mussmann@nebraska.gov

RE: 5th Judicial District County Court Judicial Vacancy

Dear Judicial Resources Commission:

Please accept this letter in lieu of my live testimony in support of filling the vacancy for the County Court Judge in the 5th Judicial District. I currently serve as a District Court Judge in the 5th Judicial District serving Boone, Hamilton, Merrick, Nance, and Polk Counties. I typically travel out of county to cover these courts a minimum of five days per month.

As part of my responsibilities, I also preside over the Hamilton/Merrick County Problem Solving Court. Our Problem Solving Court meets weekly in order to provide enhanced services to our participants and give them every chance at success.

Due to my travel schedule, there are many days in which I have a conflict with Problem Solving Court hearings. In the past, County Court Judge Linda Caster Senff graciously offered to cover these conflicts so that I could meet my obligations, while still providing service to the participants of the Problem Solving Court. Judge Senff's assistance was immeasurable. Not only did it allow for consistent court hearings for participants, it gave them an additional judicial role model. Judge Senff was a meaningful part of our Problem Solving Court team.

It is my hope that Judge Senff's position will be filled so that the next county court judge can assist in providing a positive problem solving court experience for the participants in our rural area.

Thank you for considering my input.

Sincerely,

Rachel A. Daugherty
District Judge

RAD:jlb

December 3, 2020

Judicial Resources Commission
State Capitol Building
Lincoln, NE 68509

Re: County Court Vacancy, Fifth Judicial District

Dear Members:

I retired from the position of County Court judge for the Fifth Judicial District on October 31, 2020. My home office was in Aurora, Hamilton County. That vacancy position will be considered at your December 10, 2020 meeting. I write to urge you to fill the position and recommend that the primary office of said vacancy be either York County or Hamilton County.

The Fifth District has been served by five judges for several years. As I am sure you are all aware, the judges recently participated in a time study. The results of the time study support having five County Court judges to serve the Fifth District. I would also note that York County is the second busiest county in the District and having a judge with his or her primary office either in York County or nearby Hamilton County would provide the coverage needed for that portion of the District.

The Fifth District is rather large geographically and covers eleven counties. If this position were not filled, it is my opinion that four judges would be unable to provide adequate coverage for the District for any sustained amount of time and that access to judicial services would suffer.

Thank you for your consideration.

Sincerely,

Linda Caster Senff

Linda Caster Senff

POWELL & LUZUM
ATTORNEYS AT LAW
1218 L STREET, P.O. BOX 167
AURORA, NEBRASKA 68818-0167

TELEPHONE (402) 694-6907
FAX (402) 694-6906

MICHAEL H. POWELL
ROSS A. LUZUM

December 3, 2020

Judicial Resources Commission
c/o Ms. Dawn Mussmann
Via email: Dawn.Mussmann@nebraska.gov

RE: County Court Vacancy, 5th Judicial District

Dear Commission Members:

Please accept this letter as my written testimony in support of declaring a judicial vacancy in the office of the County Court, 5th Judicial District, due to the retirement of Judge Linda Caster Senff, with the primary office remaining in Aurora, Nebraska. For the past fifteen years, I have served the community as a Deputy Hamilton County Attorney, City Attorney for the City of Aurora, Nebraska, and have maintained a general private practice focusing on family law, estate planning and probate, and general litigation. For the entirety of my fifteen years the 5th Judicial District has maintained five County Court Judges, which has allowed the citizens of Aurora and York to have weekly access to a County Court Judge, which is absolutely critical. In fifteen years, we have never had a speedy trial issue. We do not have issues with the forty-eight hour window requirement on detained juveniles. I have been able to rush to the courthouse to get temporary guardianships on hospitalized clients. Never have I had to tell an adoption client that they would need to wait until the next month when a Judge would be available. These are just a few examples why weekly court access is so important. Every so often Christmas Day and New Year's Day will fall on our weekly County Court service day, and it takes a month to sort through the backlog of cases. Should this become a regular occurrence, that County Court service days are only every other week or worse, our local justice system would be compromised.

Further compounding the matter is the geographical proximity of Interstate 80 and area law enforcement's interdiction activity. Anecdotally, these cases tend to result in more contested evidentiary hearings, and require the aid of an interpreter. Litigation takes time. Interpreter cases take time. Courtroom technology has enabled us to accomplish some procedural hearings via videoconferencing, but we are obviously not to the point where we can put on evidence through a screen or telephone. I do not believe asking four County Court Judges to cover the caseload and geographical area of the 5th

Judicial District, and still provide weekly service days to both Hamilton and York Counties would be possible, and it would be to the detriment of the citizens we serve.

Thank you in advance for your consideration in this matter. Should you need any further information or have any inquiries for which I may provide assistance, please do not hesitate to contact me.

Sincerely,

Ross Luzum

LAW OFFICES OF
FANKHAUSER, NELSEN,
WERTS, ZISKEY & MERWIN, P.C.

ALLEN FANKHAUSER
TIMOTHY W. NELSEN
KELLY J. WERTS
MICHAEL E. ZISKEY
DIANE L. MERWIN

HUMBOLDT OFFICE
713 4TH STREET
HUMBOLDT, NE 68376
402-862-2321
TOLL FREE 888-862-3752
FAX 402-862-3290
WWW.SOUTHEAST-NEB-LAW.COM

Judicial Resources Commission
Nebraska Supreme Court
State Capitol #2219
PO Box 98910
Lincoln, NE 68509

December 3, 2020

Re: 1st District County
Court Bench Hearing
December 10, 2020

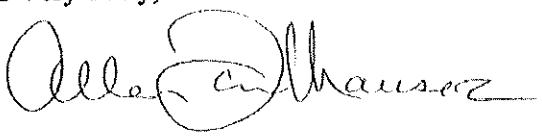
Commissioners:

I am Allen Fankhauser, attorney in the 1st District, NSBA #11239. I have practiced in Richardson, Nemaha, Pawnee, Johnson and Gage Counties since 1975. I live in this district.

The retiring Judge Timm was my law school classmate. The issue of whether this district needs his seat to be filled is a "no-brainer." It needs to be filled. Even in this screwy COVID19 situation, the numbers support it. The needs of the citizens support it.

Please support keeping this seat filled. I would be present to ask but for previously scheduled depositions. Please accept this letter in lieu thereof.

Yours Very Truly,



Allen Fankhauser, Atty #11239
Fankhauser, Nelsen, Werts, Ziskey, & Merwin
P.O. Box 126, 713 4th St
Ph: (402) 862-2321
Humboldt, NE 68376

Mussmann, Dawn

From: Mike Murphy <mjmurphy@windstream.net>
Sent: Monday, December 7, 2020 3:23 PM
To: Mussmann, Dawn
Subject: 5th Judicial Dist--county judgeship Judicial Resource Commission

Attention Dawn Mussmann: I have practiced for over 45 years in York and Hamilton County. In my opinion the docket is very busy and the vacancy caused by the retirement of Judge Senff needs to be filled so that justice proceeds promptly and efficiently in York and Hamilton County. York County has I-80 and highway 81 which creates a large criminal case load plus juvenile, conservatorships, probate and other civil matters need timely attention—that is a judge in York at least 2 days per week. Please authorize that the existing vacancy be filled so that York and Hamilton County has a resident judge to provide timely justice to all residents. Thank you for your time and attention to this matter. Michael J Murphy

Michael J. Murphy
Angle, Murphy & Campbell, P.C., L.L.O.
Attorneys at Law
617 N. Grant Ave., P.O. Box 584
York, NE 68467
Phone: 402-362-7725
mjmurphy@windstream.net

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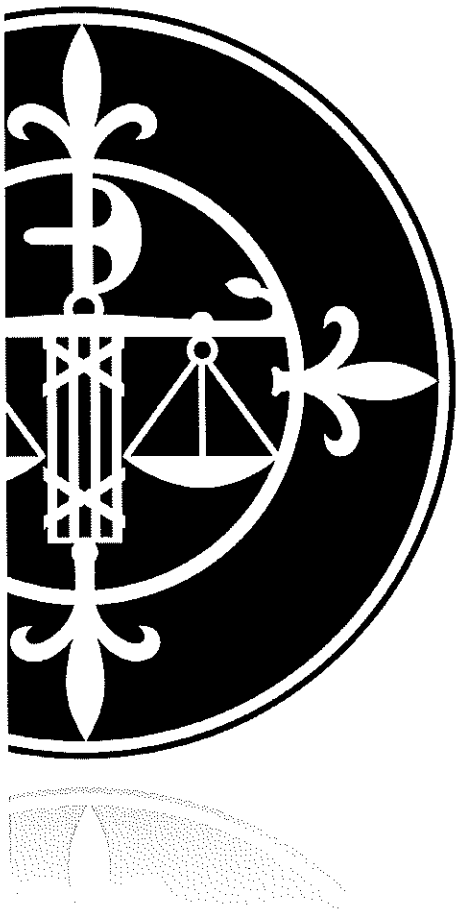


Nebraska Judicial Branch
Annual Caseload Report

County Courts

Fiscal Year 2020
July 1, 2019 to
June 30, 2020

Nebraska County Courts
Annual Caseload Report

Fiscal Year 2020 — July 1, 2019 to June 30, 2020

This Annual County Court Caseload Report contains caseload statistics for Nebraska's 93 County Courts, grouped into twelve Judicial Districts. Statistics are compiled through extracts from the JUSTICE automated trial court case management system. Providing court statistics ensures transparency to the public and assists administration in ensuring efficient court practices.

Caseload statistics demonstrate the volume of cases in each jurisdiction and the changes that occur over time. Data are useful in determining staffing levels and for predicting the effect on caseloads due to changes in the law.

Caseload data is now produced with a new, more reliable reporting software tool. Prior to FY 2016, caseload data was extracted and aggregated monthly through a programmed process. The 10 year history section of this Caseload Report should not be compared to reports prior to FY 2016.

Reports are available for all levels of state appellate and trial courts at www.supremecourt.ne.gov > Administration > Publications and Reports.

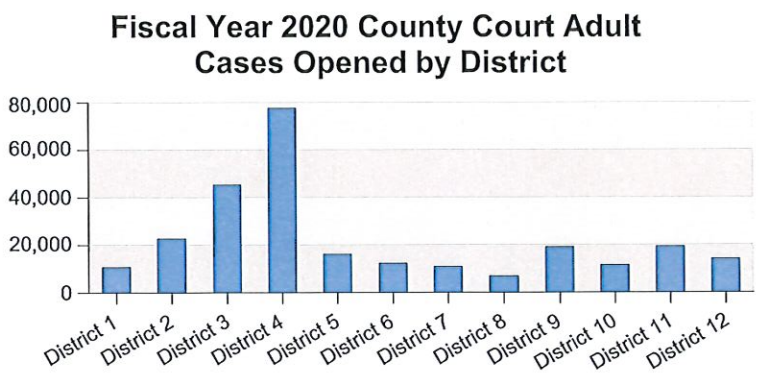
Mission of the Nebraska Administrative Office of the Courts:

Under the direction of the Nebraska Supreme Court, the Administrative Office of the Courts' mission is to ensure the public has equal access to justice, using leadership, education, technology, and administrative services to implement consistent, efficient, and effective court practices.

Corey R. Steel | Nebraska State Court Administrator
Nebraska Supreme Court

Rm. 1213 State Capitol | P.O. Box 98910 | Lincoln, NE 68509
T 402.471.3730 | F 402.471.2197
www.supremecourt.ne.gov

Fiscal Year 2020 Nebraska County Court Adult Annual Cases Opened



Historical Case Opened			
Year	Adult Court	Juvenile Court	Total Case Filings
FY 2011	391,328	5,734	397,062
FY 2012	380,391	5,897	386,288
FY 2013	354,931	5,357	360,288
FY 2014	341,650	4,868	346,518
FY 2015	328,427	5,226	333,653
FY 2016	327,555	5,192	332,747
FY 2017	325,707	5,161	330,868
FY 2018	321,502	4,850	326,352
FY 2019	299,909	4,467	304,376
FY 2020	266,083	4,469	270,552

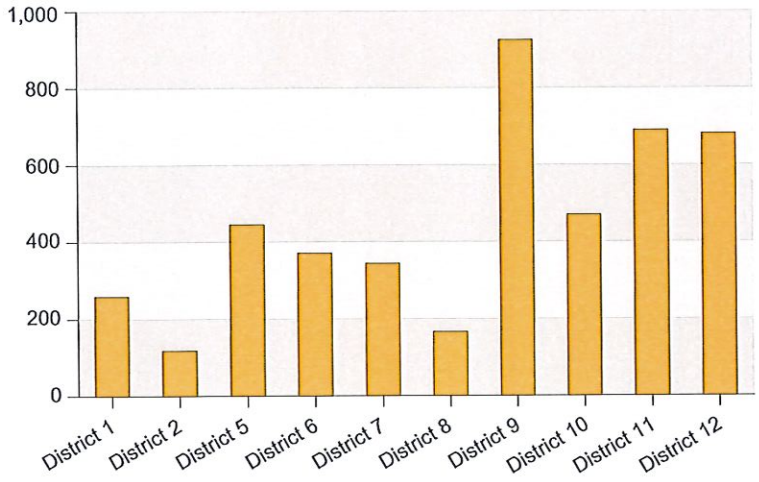
Fiscal Year 2020 Adult Court Cases Opened by Category and District

	MISD/ Ordinance Traffic	MISD/Ordinance Non-Traffic	Felony	Civil	Small Claims	Probate/ Inheritance Tax	Guardian/ Conservator	Adoption	Summary
District 1	4,076	2,132	552	3,387	86	347	97	34	**10,711**
District 2	9,024	4,699	1,225	6,792	208	483	190	83	**22,704**
District 3	15,215	11,543	2,541	14,256	396	802	346	116	**45,215**
District 4	20,445	23,226	5,336	25,345	992	1,334	658	246	**77,582**
District 5	5,238	3,642	960	5,298	150	572	142	47	**16,049**
District 6	4,431	2,980	737	3,442	124	430	114	48	**12,306**
District 7	5,166	2,247	526	2,202	135	344	95	38	**10,753**
District 8	2,535	1,388	315	2,107	127	299	48	24	**6,843**
District 9	5,484	4,753	1,484	6,604	217	319	125	54	**19,040**
District 10	3,828	2,069	483	4,497	99	326	98	43	**11,443**
District 11	6,244	4,934	1,361	5,883	252	492	147	64	**19,377**
District 12	4,165	4,127	1,215	3,843	211	367	89	43	**14,060**
Summary	**85,851**	**67,740**	**16,735**	**83,656**	**2,997**	**6,115**	**2,149**	**840**	**266,083**

3,045 domestic relations cases were referred to county judges.

Fiscal Year 2020 Nebraska County Court Juvenile Annual Cases Opened

Fiscal Year 2020 County Court Juvenile Cases Opened by District



Historical Cases Opened			
Year	Adult Court	Juvenile Court	Total Case Filings
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FY 2013	354,931	5,357	360,288
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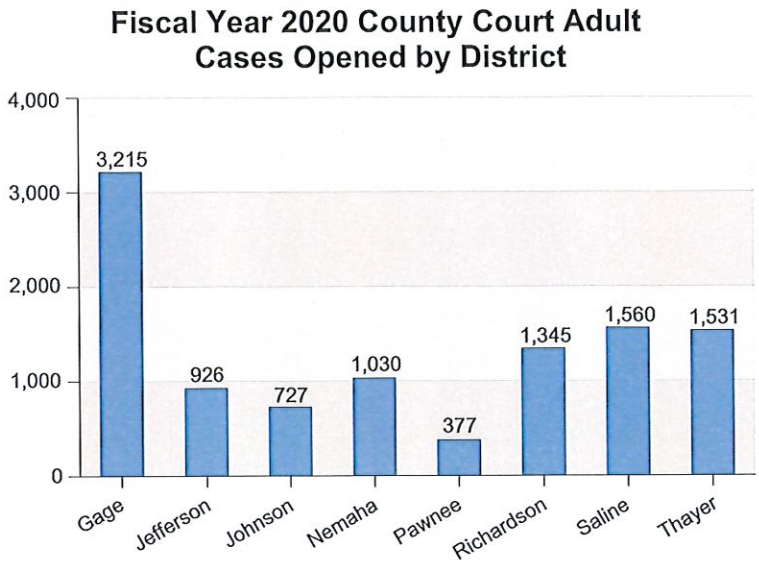
FY 2017	325,707	5,161	330,868
FY 2018	321,502	4,850	326,352
FY 2019	299,909	4,467	304,376
FY 2020	266,083	4,469	270,552

Fiscal Year 2020 Juvenile Court Cases Opened by Category and District

	Misdemeanor (1)	Felony (2)	Neglected / Dependent (3A)	Status Offender (3B)	Mentally Ill and Dangerous (3C)	Infraction (4)	Parental (5-8)	Summary
District 1	134	25	53	40	1	4	2	**259**
District 2	50	9	29	29	0	0	1	**118**
District 5	212	61	108	39	5	18	2	**445**
District 6	179	38	81	71	1	0	1	**371**
District 7	205	26	71	34	8	0	0	**344**
District 8	68	30	51	12	1	3	1	**166**
District 9	608	146	133	33	0	5	0	**925**
District 10	213	29	109	31	4	78	6	**470**
District 11	313	51	233	77	7	6	3	**690**
District 12	377	71	163	66	2	2	0	**681**
Summary	**2,359**	**486**	**1,031**	**432**	**29**	**116**	**16**	**4,469**

1st Judicial District - County Court Adult Cases Opened



Historical Cases Opened			
Year	Adult Court	Juvenile Court	Total Case Filings
FY 2011	13,214	395	13,609
FY 2012	13,060	500	13,560
FY 2013	11,570	493	12,063
FY 2014	12,801	430	13,231
FY 2015	12,232	459	12,691
FY 2016	13,973	478	14,451
FY 2017	15,021	463	15,484
FY 2018	13,965	458	14,423
FY 2019	12,426	337	12,763
FY 2020	10,711	259	10,970

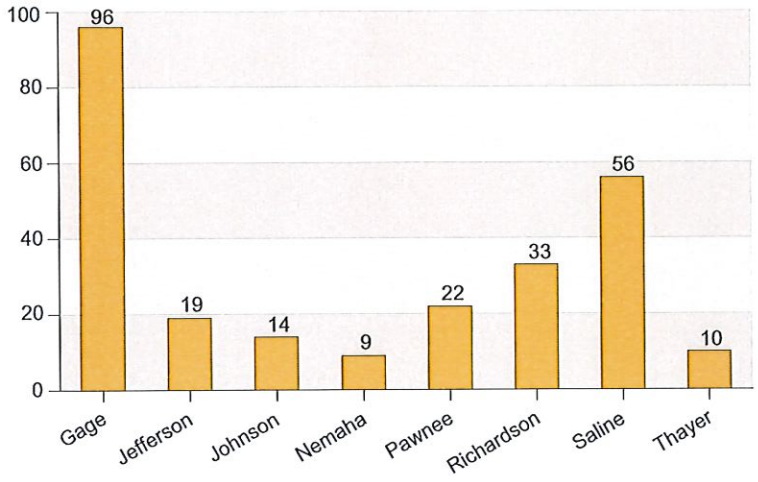
Fiscal Year 2020 Adult Court Cases Opened by County and Category

	MISD/ Ordinance Traffic	MISD/Ordinance Non-Traffic	Felony	Civil	Small Claims	Probate/ Inheritance Tax	Guardian/ Conservator	Adoption	Summary
Gage	823	752	207	1,259	18	109	36	11	**3,215**
Jefferson	237	152	83	392	8	40	12	2	**926**
Johnson	240	139	41	266	7	30	2	2	**727**
Nemaha	479	183	39	272	11	36	6	4	**1,030**
Pawnee	105	121	19	104	4	19	4	1	**377**
Richardson	536	323	75	325	16	40	20	10	**1,345**
Saline	507	324	73	573	17	49	14	3	**1,560**
Thayer	1,149	138	15	196	5	24	3	1	**1,531**
Summary	**4,076**	**2,132**	**552**	**3,387**	**86**	**347**	**97**	**34**	**10,711**

224 domestic relations cases were referred to county judges.

1st Judicial District - County Court Juvenile Cases Opened

Fiscal Year 2020 County Court Juvenile Cases Opened by District



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FY 2018	13,965	458	14,423
FY 2019	12,426	337	12,763
FY 2020	10,711	259	10,970

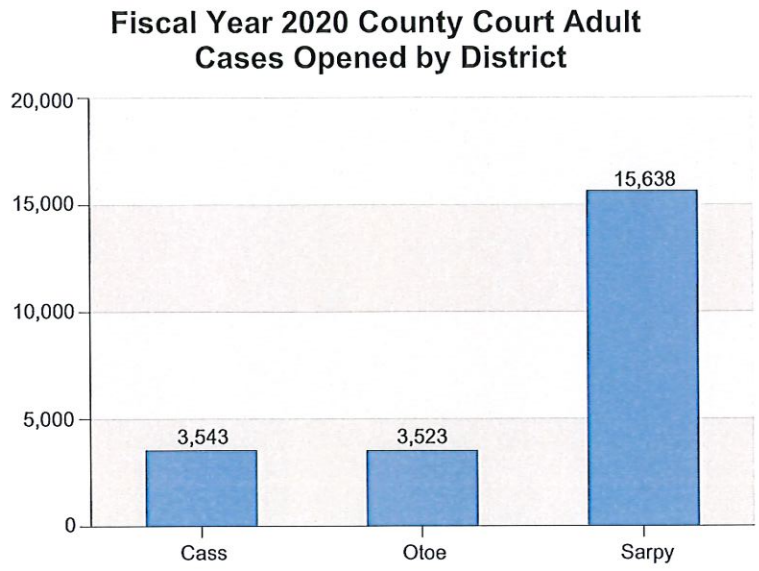
Fiscal Year 2020 Juvenile Court Cases Opened by County and Category

	Misdemeanor (1)	Felony (2)	Neglected / Dependent (3A)	Status Offender (3B)	Mentally Ill and Dangerous (3C)	Infraction (4)	Parental (5-8)	Summary
Gage	53	10	12	21	0	0	0	**96**
Jefferson	3	2	7	6	0	0	1	**19**
Johnson	2	3	6	3	0	0	0	**14**
Nemaha	2	2	0	3	1	1	0	**9**
Pawnee	9	2	8	3	0	0	0	**22**
Richardson	19	1	13	0	0	0	0	**33**
Saline	40	4	5	3	0	3	1	**56**
Thayer	6	1	2	1	0	0	0	**10**
Summary	**134**	**25**	**53**	**40**	**1**	**4**	**2**	**259**

Saline County had 10 Juvenile 3A cases opened which involved 18 children.

Unless otherwise noted, one juvenile case was opened per child involved.

2nd Judicial District - County Court Adult Cases Opened



Historical Cases Opened			
Year	Adult Court	Juvenile Court	Total Case Filings
FY 2011	33,764	248	34,012
FY 2012	31,223	266	31,489
FY 2013	28,533	233	28,766
FY 2014	27,961	213	28,174
FY 2015	27,314	230	27,544
FY 2016	27,512	194	27,706
FY 2017	27,929	206	28,135
FY 2018	27,538	175	27,713
FY 2019	26,155	141	26,296
FY 2020	22,704	118	22,822

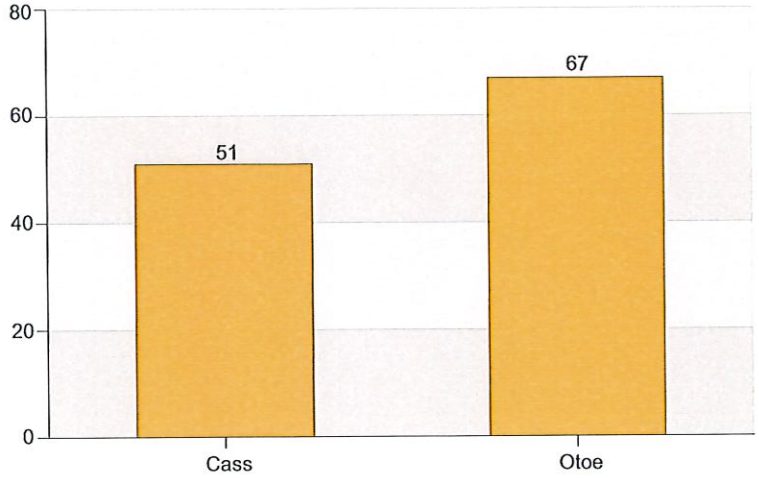
Fiscal Year 2020 Adult Court Cases Opened by County and Category

	MISD/ Ordinance Traffic	MISD/Ordinance Non-Traffic	Felony	Civil	Small Claims	Probate/ Inheritance Tax	Guardian/ Conservator	Adoption	Summary
Cass	1,829	552	126	903	22	78	25	8	**3,543**
Otoe	2,006	476	153	762	37	72	12	5	**3,523**
Sarpy	5,189	3,671	946	5,127	149	333	153	70	**15,638**
Summary	**9,024**	**4,699**	**1,225**	**6,792**	**208**	**483**	**190**	**83**	**22,704**

243 domestic relations cases were referred to county judges.

2nd Judicial District - County Court Juvenile Cases Opened

Fiscal Year 2020 County Court Juvenile Cases Opened by District



Historical Cases Opened			
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FY 2012	31,223	266	31,489
FY 2013	28,533	233	28,766
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FY 2017	27,929	206	28,135
FY 2018	27,538	175	27,713
FY 2019	26,155	141	26,296
FY 2020	22,704	118	22,822

Fiscal Year 2020 Juvenile Court Cases Opened by County and Category

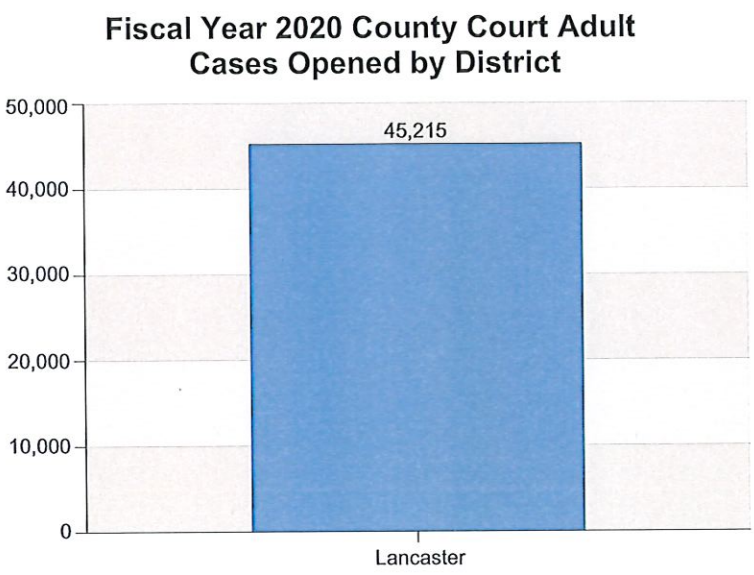
	Misdemeanor (1)	Felony (2)	Neglected / Dependent (3A)	Status Offender (3B)	Parental (5-8)	Summary
Cass	22	6	14	8	1	**51**
Otoe	28	3	15	21	0	**67**
Summary	**50**	**9**	**29**	**29**	**1**	**118**

Cass County had 28 Juvenile 3A cases opened which involved 52 children.

Otoe County had 30 Juvenile 3A cases opened which involved 60 children.

Unless otherwise noted, one juvenile case was opened per child involved.

3rd Judicial District - County Court Adult Cases Opened



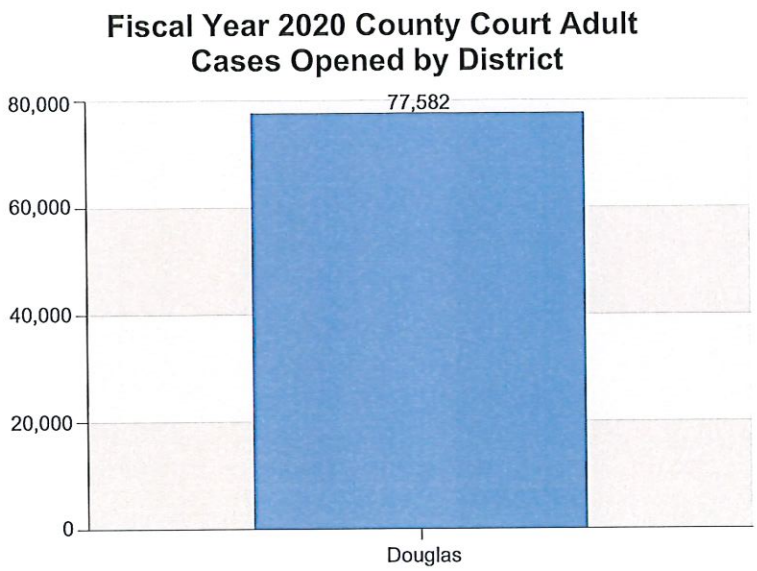
Historical Cases Opened			
Year	Adult Court	Juvenile Court	Total Case Filings
FY 2011	64,494	0	64,494
FY 2012	63,178	0	63,178
FY 2013	59,051	0	59,051
FY 2014	61,824	0	61,824
FY 2015	57,886	0	57,886
FY 2016	55,820	0	55,820
FY 2017	54,575	0	54,575
FY 2018	52,809	0	52,809
FY 2019	52,882	0	52,882
FY 2020	45,215	0	45,215

Fiscal Year 2020 Adult Court Cases Opened by County and Category

	MISD/ Ordinance Traffic	MISD/Ordinance Non-Traffic	Felony	Civil	Small Claims	Probate/ Inheritance Tax	Guardian/ Conservator	Adoption	Summary
Lancaster	15,215	11,543	2,541	14,256	396	802	346	116	**45,215**
Summary	**15,215**	**11,543**	**2,541**	**14,256**	**396**	**802**	**346**	**116**	**45,215**

335 domestic relations cases were referred to county judges.

4th Judicial District - County Court Adult Cases Opened



Historical Cases Opened			
Year	Adult Court	Juvenile Court	Total Case Filings
FY 2011	115,416	0	115,416
FY 2012	114,988	0	114,988
FY 2013	102,461	0	102,461
FY 2014	92,279	0	92,279
FY 2015	86,479	0	86,479
FY 2016	87,214	0	87,214
FY 2017	87,713	0	87,713
FY 2018	90,557	0	90,557
FY 2019	86,968	0	86,968
FY 2020	77,582	0	77,582

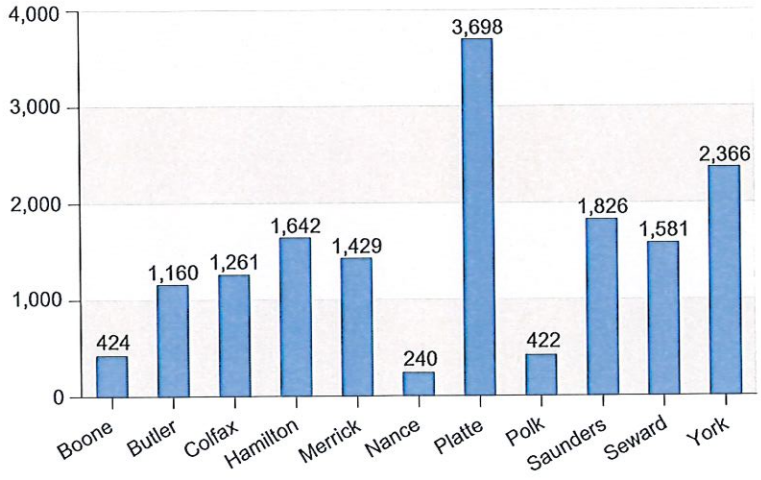
Fiscal Year 2020 Adult Court Cases Opened by County and Category

	MISD/ Ordinance Traffic	MISD/Ordinance Non-Traffic	Felony	Civil	Small Claims	Probate/ Inheritance Tax	Guardian/ Conservator	Adoption	Summary
Douglas	20,445	23,226	5,336	25,345	992	1,334	658	246	**77,582**
Summary	**20,445**	**23,226**	**5,336**	**25,345**	**992**	**1,334**	**658**	**246**	**77,582**

1,495 domestic relations cases were referred to county judges.

5th Judicial District - County Court Adult Cases Opened

Fiscal Year 2020 County Court Adult Cases Opened by District



Historical Cases Opened

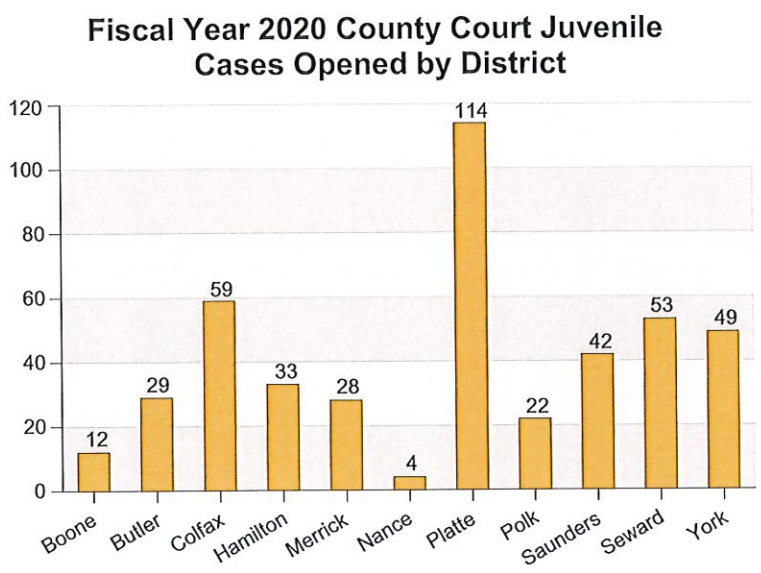
Year	Adult Court	Juvenile Court	Total Case Filings
FY 2011	22,448	887	23,335
FY 2012	21,154	859	22,013
FY 2013	20,559	842	21,401
FY 2014	19,516	784	20,300
FY 2015	19,574	855	20,429
FY 2016	19,242	803	20,045
FY 2017	19,413	797	20,210
FY 2018	20,620	679	21,299
FY 2019	18,009	556	18,565
FY 2020	16,049	445	16,494

Fiscal Year 2020 Adult Court Cases Opened by County and Category

	MISD/ Ordinance Traffic	MISD/Ordinance Non-Traffic	Felony	Civil	Small Claims	Probate/ Inheritance Tax	Guardian/ Conservator	Adoption	Summary
Boone	126	46	17	195	4	32	2	2	**424**
Butler	365	324	73	322	9	54	12	1	**1,160**
Colfax	406	413	48	332	13	38	9	2	**1,261**
Hamilton	836	237	80	429	7	39	7	7	**1,642**
Merrick	690	262	71	357	7	30	12	0	**1,429**
Nance	24	30	20	134	6	20	4	2	**240**
Platte	832	1,081	251	1,303	46	137	37	11	**3,698**
Polk	95	60	14	205	8	32	6	2	**422**
Saunders	570	379	110	654	17	77	17	2	**1,826**
Seward	514	322	91	549	14	58	21	12	**1,581**
York	780	488	185	818	19	55	15	6	**2,366**
Summary	**5,238**	**3,642**	**960**	**5,298**	**150**	**572**	**142**	**47**	**16,049**

124 domestic relations cases were referred to county judges.

5th Judicial District - County Court Juvenile Cases Opened



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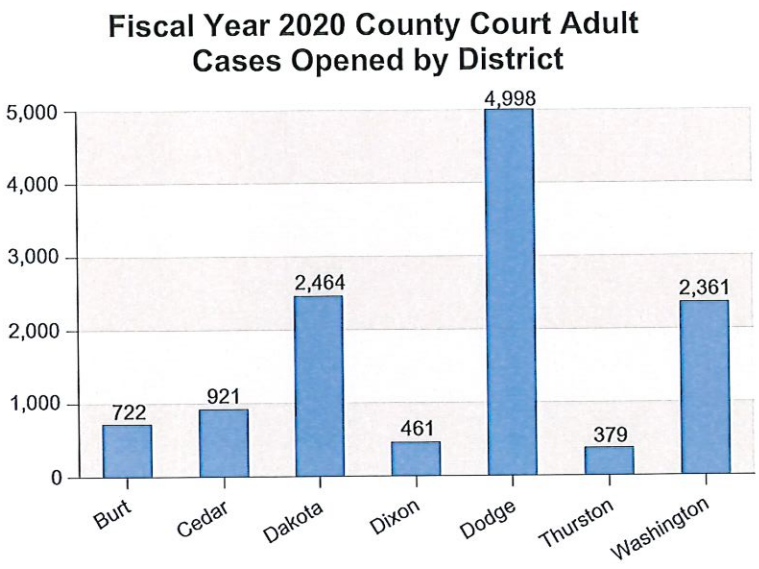
FY 2018	20,620	679	21,299
FY 2019	18,009	556	18,565
FY 2020	16,049	445	16,494

Fiscal Year 2020 Juvenile Court Cases Opened by County and Category

	Misdemeanor (1)	Felony (2)	Neglected / Dependent (3A)	Status Offender (3B)	Mentally Ill and Dangerous (3C)	Infraction (4)	Parental (5-8)	Summary
Boone	4	3	0	5	0	0	0	**12**
Butler	17	2	8	2	0	0	0	**29**
Colfax	44	3	2	2	0	8	0	**59**
Hamilton	21	6	0	5	1	0	0	**33**
Merrick	20	6	1	0	1	0	0	**28**
Nance	1	3	0	0	0	0	0	**4**
Platte	48	11	32	13	2	8	0	**114**
Polk	11	1	8	1	1	0	0	**22**
Saunders	13	6	22	1	0	0	0	**42**
Seward	18	6	21	5	0	1	2	**53**
York	15	14	14	5	0	1	0	**49**
Summary	**212**	**61**	**108**	**39**	**5**	**18**	**2**	**445**

Unless otherwise noted, one juvenile case was opened per child involved.

6th Judicial District - County Court Adult Cases Opened



Historical Cases Opened			
Year	Adult Court	Juvenile Court	Total Case Filings
FY 2011	20,767	613	21,380
FY 2012	19,274	617	19,891
FY 2013	18,054	452	18,506
FY 2014	17,036	473	17,509
FY 2015	17,530	462	17,992
FY 2016	17,586	437	18,023
FY 2017	16,637	420	17,057
FY 2018	16,912	449	17,361
FY 2019	15,451	364	15,815
FY 2020	12,306	371	12,677

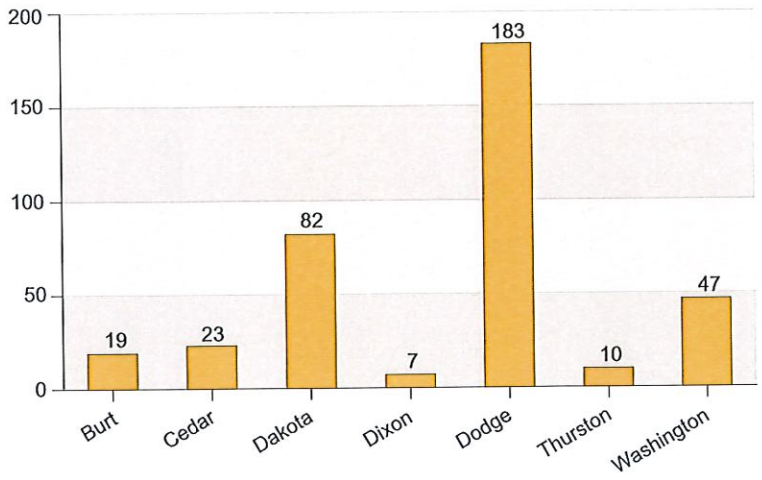
Fiscal Year 2020 Adult Court Cases Opened by County and Category

	MISD/ Ordinance Traffic	MISD/Ordinance Non-Traffic	Felony	Civil	Small Claims	Probate/ Inheritance Tax	Guardian/ Conservator	Adoption	Summary
Burt	251	116	25	272	15	31	4	8	**722**
Cedar	456	224	24	145	10	51	9	2	**921**
Dakota	896	699	230	536	40	46	13	4	**2,464**
Dixon	215	109	11	96	2	20	6	2	**461**
Dodge	1,590	1,275	310	1,522	37	181	59	24	**4,998**
Thurston	90	76	27	159	3	18	4	2	**379**
Washington	933	481	110	712	17	83	19	6	**2,361**
Summary	**4,431**	**2,980**	**737**	**3,442**	**124**	**430**	**114**	**48**	**12,306**

150 domestic relations cases were referred to county judges.

6th Judicial District - County Court Juvenile Cases Opened

Fiscal Year 2020 County Court Juvenile Cases Opened by District



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FY 2019	15,451	364	15,815
FY 2020	12,306	371	12,677

Fiscal Year 2020 Juvenile Court Cases Opened by County and Category

	Misdemeanor (1)	Felony (2)	Neglected / Dependent (3A)	Status Offender (3B)	Mentally Ill and Dangerous (3C)	Parental (5-8)	Summary
Burt	7	1	3	7	1	0	**19**
Cedar	18	1	4	0	0	0	**23**
Dakota	50	9	12	11	0	0	**82**
Dixon	3	0	3	1	0	0	**7**
Dodge	69	19	51	44	0	0	**183**
Thurston	5	1	4	0	0	0	**10**
Washington	27	7	4	8	0	1	**47**
Summary	**179**	**38**	**81**	**71**	**1**	**1**	**371**

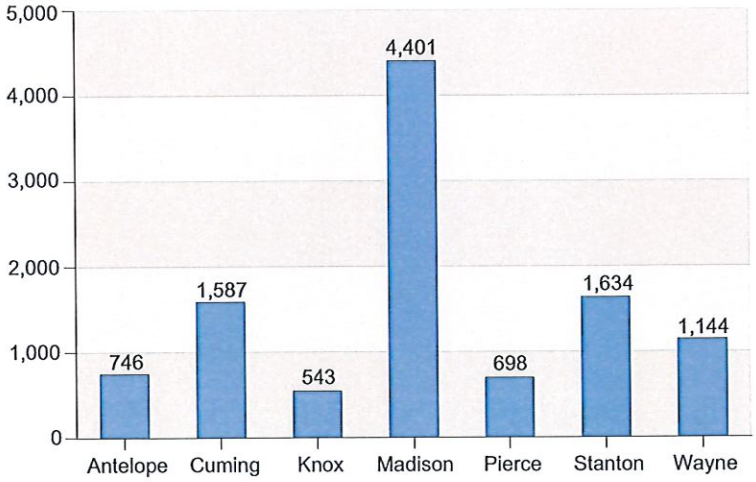
Burt County had 3 Juvenile 3A cases opened which involved 4 children.

Washington County had 8 Juvenile 3A cases opened which involved 24 children.

Unless otherwise noted, one juvenile case was opened per child involved.

7th Judicial District - County Court Adult Cases Opened

Fiscal Year 2020 County Court Adult Cases Opened by District



Historical Cases Opened

Year	Adult Court	Juvenile Court	Total Case Filings
FY 2011	14,583	334	14,917
FY 2012	14,074	290	14,364
FY 2013	13,888	276	14,164
FY 2014	12,711	275	12,986
FY 2015	12,328	337	12,665
FY 2016	12,125	345	12,470
FY 2017	12,060	370	12,430
FY 2018	11,695	414	12,109
FY 2019	11,383	403	11,786
FY 2020	10,753	344	11,097

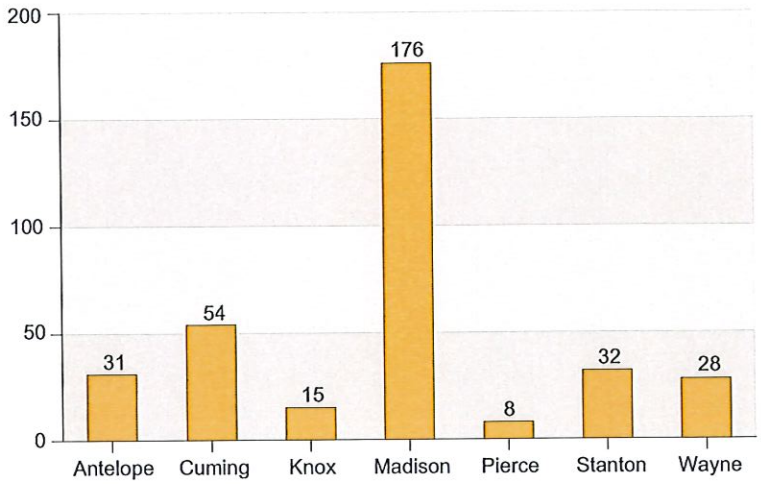
Fiscal Year 2020 Adult Court Cases Opened by County and Category

	MISD/ Ordinance Traffic	MISD/Ordinance Non-Traffic	Felony	Civil	Small Claims	Probate/ Inheritance Tax	Guardian/ Conservator	Adoption	Summary
Antelope	320	160	26	181	16	29	8	6	**746**
Cuming	1,117	186	33	180	4	53	6	8	**1,587**
Knox	108	121	21	206	32	47	7	1	**543**
Madison	1,557	1,141	341	1,123	55	126	41	17	**4,401**
Pierce	322	114	21	178	9	37	14	3	**698**
Stanton	1,126	269	56	146	7	18	12	0	**1,634**
Wayne	616	256	28	188	12	34	7	3	**1,144**
Summary	**5,166**	**2,247**	**526**	**2,202**	**135**	**344**	**95**	**38**	**10,753**

84 domestic relations cases were referred to county judges.

7th Judicial District - County Court Juvenile Cases Opened

Fiscal Year 2020 County Court Juvenile Cases Opened by District



Historical Cases Opened			
Year	Adult Court	Juvenile Court	Total Case Filings
FY 2011	14,583	334	14,917
FY 2012	14,074	290	14,364
FY 2013	13,888	276	14,164
FY 2014	12,711	275	12,986
FY 2015	12,328	337	12,665
FY 2016	12,125	345	12,470
FY 2017	12,060	370	12,430
FY 2018	11,695	414	12,109
FY 2019	11,383	403	11,786
FY 2020	10,753	344	11,097

Fiscal Year 2020 Juvenile Court Cases Opened by County and Category

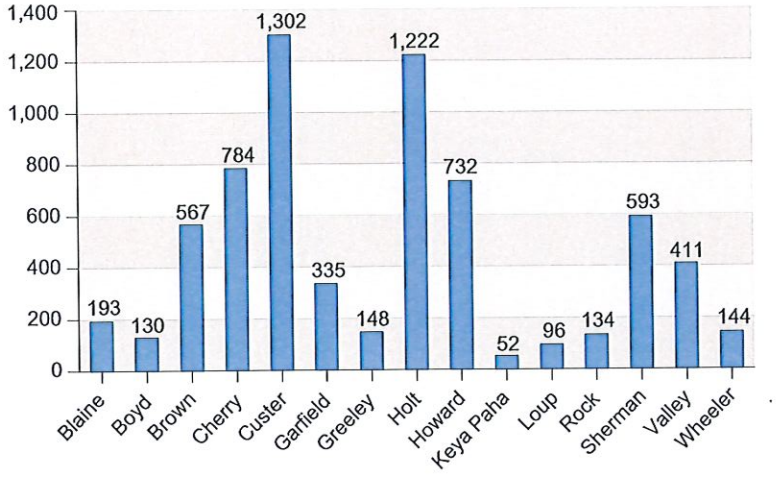
	Misdemeanor (1)	Felony (2)	Neglected / Dependent (3A)	Status Offender (3B)	Mentally Ill and Dangerous (3C)	Summary
Antelope	21	3	5	2	0	**31**
Cuming	25	4	21	4	0	**54**
Knox	9	0	4	2	0	**15**
Madison	114	12	35	9	6	**176**
Pierce	6	0	0	2	0	**8**
Stanton	19	1	3	9	0	**32**
Wayne	11	6	3	6	2	**28**
Summary	**205**	**26**	**71**	**34**	**8**	**344**

Madison County had 70 Juvenile 3A cases opened which involved 132 children.

Unless otherwise noted, one juvenile case was opened per child involved.

8th Judicial District - County Court Adult Cases Opened

Fiscal Year 2020 County Court Adult Cases Opened by District



Historical Cases Opened

Year	Adult Court	Juvenile Court	Total Case Filings
FY 2011	12,717	167	12,884
FY 2012	12,191	169	12,360
FY 2013	11,612	151	11,763
FY 2014	11,264	153	11,417
FY 2015	10,523	187	10,710
FY 2016	9,577	175	9,752
FY 2017	9,626	196	9,822
FY 2018	8,764	165	8,929
FY 2019	7,662	209	7,871
FY 2020	6,843	166	7,009

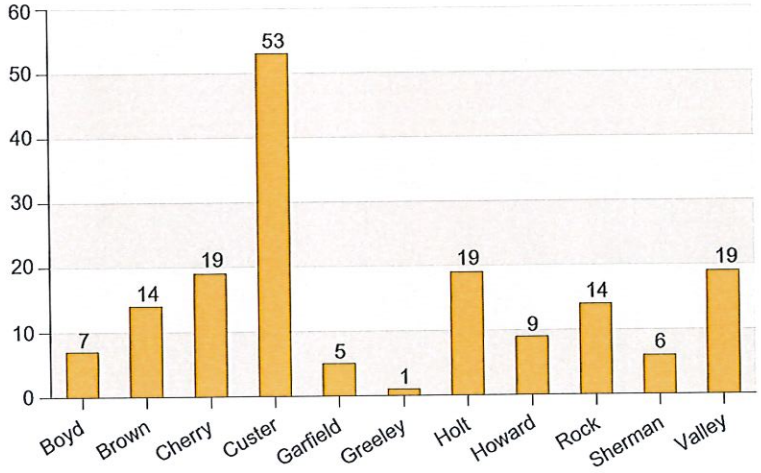
Fiscal Year 2020 Adult Court Cases Opened by County and Category

	MISD/ Ordinance Traffic	MISD/Ordinance Non-Traffic	Felony	Civil	Small Claims	Probate/ Inheritance Tax	Guardian/ Conservator	Adoption	Summary
Blaine	162	6	2	18	1	4	0	0	**193**
Boyd	32	12	3	54	4	18	2	5	**130**
Brown	183	131	41	172	16	22	2	0	**567**
Cherry	272	223	47	204	4	27	7	0	**784**
Custer	421	245	68	499	13	47	6	3	**1,302**
Garfield	153	93	9	55	12	12	1	0	**335**
Greeley	32	19	3	80	1	12	1	0	**148**
Holt	523	140	38	412	52	38	11	8	**1,222**
Howard	303	139	39	194	5	40	6	6	**732**
Keya Paha	15	7	0	24	0	6	0	0	**52**
Loup	14	49	5	20	0	7	1	0	**96**
Rock	58	9	1	50	2	14	0	0	**134**
Sherman	191	213	18	136	10	19	5	1	**593**
Valley	86	85	39	159	7	28	6	1	**411**
Wheeler	90	17	2	30	0	5	0	0	**144**
Summary	**2,535**	**1,388**	**315**	**2,107**	**127**	**299**	**48**	**24**	**6,843**

49 domestic relations cases were referred to county judges.

8th Judicial District - County Court Juvenile Cases Opened

Fiscal Year 2020 County Court Juvenile Cases Opened by District



Historical Cases Opened			
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FY 2018	8,764	165	8,929
FY 2019	7,662	209	7,871
FY 2020	6,843	166	7,009

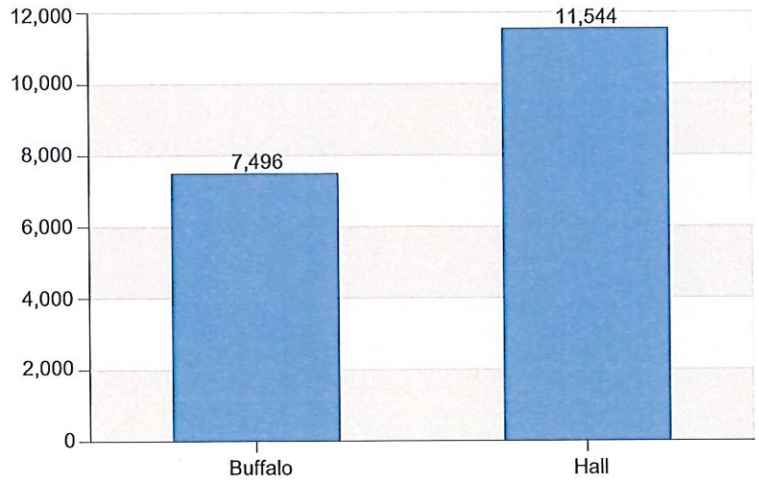
Fiscal Year 2020 Juvenile Court Cases Opened by County and Category

	Misdemeanor (1)	Felony (2)	Neglected / Dependent (3A)	Status Offender (3B)	Mentally Ill and Dangerous (3C)	Infraction (4)	Parental (5-8)	Summary
Boyd	0	0	7	0	0	0	0	7
Brown	12	1	1	0	0	0	0	14
Cherry	13	5	1	0	0	0	0	19
Custer	11	7	28	6	0	1	0	53
Garfield	3	0	0	0	0	2	0	5
Greeley	1	0	0	0	0	0	0	1
Holt	5	6	5	1	1	0	1	19
Howard	4	5	0	0	0	0	0	9
Rock	8	5	1	0	0	0	0	14
Sherman	3	0	3	0	0	0	0	6
Valley	8	1	5	5	0	0	0	19
Summary	**68**	**30**	**51**	**12**	**1**	**3**	**1**	**166**

Unless otherwise noted, one juvenile case was opened per child involved.

9th Judicial District - County Court Adult Cases Opened

Fiscal Year 2020 County Court Adult Cases Opened by District



Historical Cases Opened			
Year	Adult Court	Juvenile Court	Total Case Filings
FY 2011	25,902	905	26,807
FY 2012	24,317	1,011	25,328
FY 2013	23,632	869	24,501
FY 2014	22,769	763	23,532
FY 2015	22,224	887	23,111
FY 2016	21,952	770	22,722
FY 2017	21,763	786	22,549
FY 2018	21,161	764	21,925
FY 2019	20,023	699	20,722
FY 2020	19,040	925	19,965

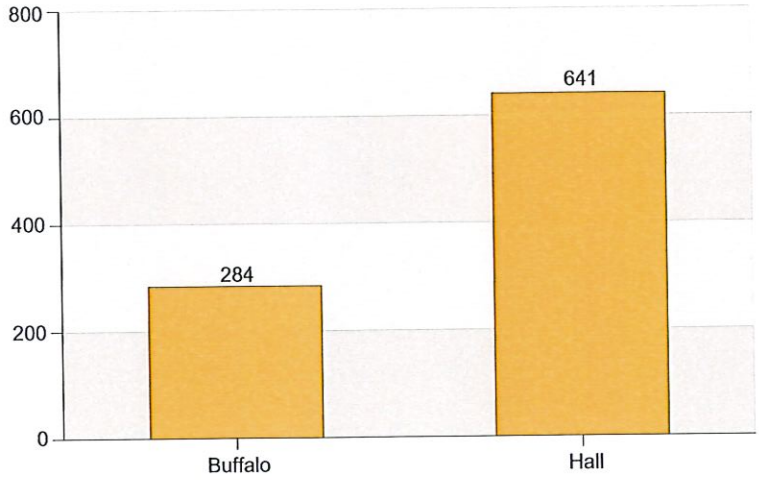
Fiscal Year 2020 Adult Court Cases Opened by County and Category

	MISD/ Ordinance Traffic	MISD/Ordinance Non-Traffic	Felony	Civil	Small Claims	Probate/ Inheritance Tax	Guardian/ Conservator	Adoption	Summary
Buffalo	2,365	1,583	602	2,636	93	133	57	27	**7,496**
Hall	3,119	3,170	882	3,968	124	186	68	27	**11,544**
Summary	**5,484**	**4,753**	**1,484**	**6,604**	**217**	**319**	**125**	**54**	**19,040**

188 domestic relations cases were referred to county judges.

9th Judicial District - County Court Juvenile Cases Opened

Fiscal Year 2020 County Court Juvenile Cases Opened by District



Historical Cases Opened			
Year	Adult Court	Juvenile Court	Total Case Filings
FY 2011	25,902	**905**	26,807
FY 2012	24,317	**1,011**	25,328
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FY 2017	21,763	**786**	22,549
FY 2018	21,161	**764**	21,925
FY 2019	20,023	**699**	20,722
FY 2020	19,040	**925**	19,965

Fiscal Year 2020 Juvenile Court Cases Opened by County and Category

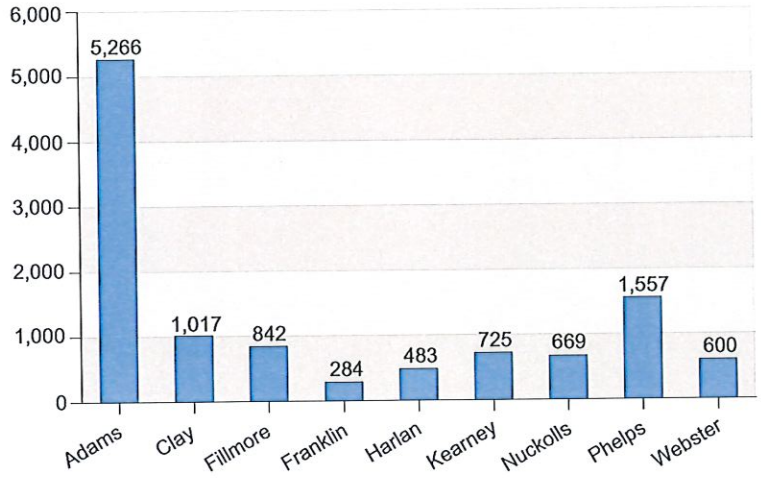
	Misdemeanor (1)	Felony (2)	Neglected / Dependent (3A)	Status Offender (3B)	Infraction (4)	Summary
Buffalo	132	50	86	11	5	**284**
Hall	476	96	47	22	0	**641**
Summary	**608**	**146**	**133**	**33**	**5**	**925**

Hall County had 94 Juvenile 3A cases opened which involved 156 children.

Unless otherwise noted, one juvenile case was opened per child involved.

10th Judicial District - County Court Adult Cases Opened

Fiscal Year 2020 County Court Adult Cases Opened by District



Historical Cases Opened			
Year	Adult Court	Juvenile Court	Total Case Filings
FY 2011	15,135	494	15,629
FY 2012	14,710	639	15,349
FY 2013	14,185	479	14,664
FY 2014	13,903	513	14,416
FY 2015	12,983	492	13,475
FY 2016	13,334	474	13,808
FY 2017	13,757	506	14,263
FY 2018	13,221	446	13,667
FY 2019	12,383	398	12,781
FY 2020	11,443	470	11,913

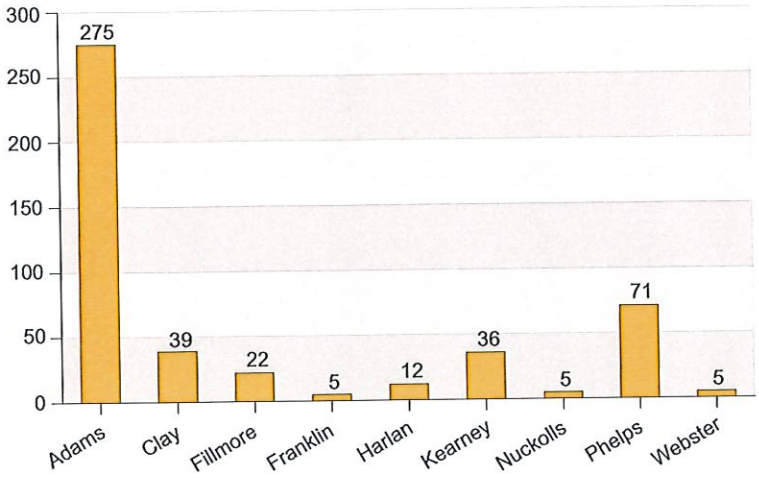
Fiscal Year 2020 Adult Court Cases Opened by County and Category

	MISD/ Ordinance Traffic	MISD/Ordinance Non-Traffic	Felony	Civil	Small Claims	Probate/ Inheritance Tax	Guardian/ Conservator	Adoption	Summary
Adams	1,374	1,172	258	2,246	25	120	47	24	**5,266**
Clay	475	147	70	286	1	26	6	6	**1,017**
Fillmore	434	94	21	243	13	29	8	0	**842**
Franklin	17	54	12	165	12	15	7	2	**284**
Harlan	157	104	26	163	5	21	6	1	**483**
Kearney	196	92	25	364	9	27	10	2	**725**
Nuckolls	336	116	6	170	12	23	4	2	**669**
Phelps	524	202	60	703	20	38	5	5	**1,557**
Webster	315	88	5	157	2	27	5	1	**600**
Summary	**3,828**	**2,069**	**483**	**4,497**	**99**	**326**	**98**	**43**	**11,443**

55 domestic relations cases were referred to county judges.

10th Judicial District - County Court Juvenile Cases Opened

Fiscal Year 2020 County Court Juvenile Cases Opened by District



Historical Cases Opened			
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FY 2017	13,757	506	14,263
FY 2018	13,221	446	13,667
FY 2019	12,383	398	12,781
FY 2020	11,443	470	11,913

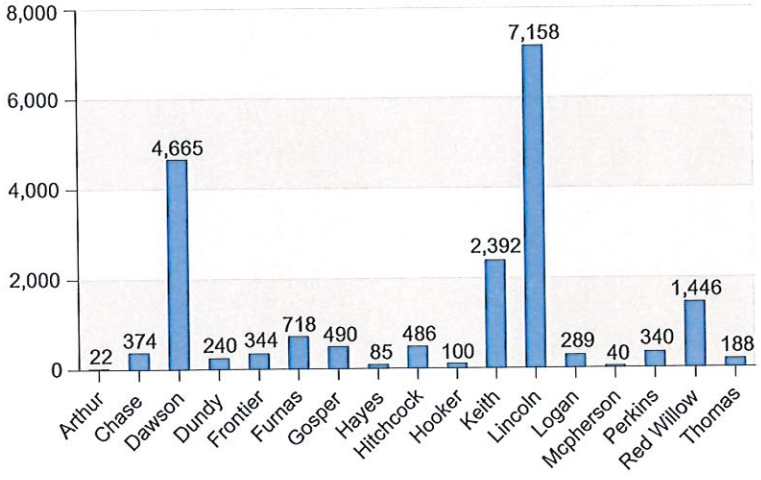
Fiscal Year 2020 Juvenile Court Cases Opened by County and Category

	Misdemeanor (1)	Felony (2)	Neglected / Dependent (3A)	Status Offender (3B)	Mentally Ill and Dangerous (3C)	Infraction (4)	Parental (5-8)	Summary
Adams	145	13	45	15	4	53	0	275
Clay	16	3	7	4	0	9	0	39
Fillmore	6	5	9	1	0	1	0	22
Franklin	3	0	1	1	0	0	0	5
Harlan	4	1	5	2	0	0	0	12
Kearney	17	3	9	4	0	3	0	36
Nuckolls	4	0	0	1	0	0	0	5
Phelps	17	2	33	1	0	12	6	71
Webster	1	2	0	2	0	0	0	5
Summary	**213**	**29**	**109**	**31**	**4**	**78**	**6**	**470**

Unless otherwise noted, one juvenile case was opened per child involved.

11th Judicial District - County Court Adult Cases Opened

Fiscal Year 2020 County Court Adult Cases Opened by District



Historical Cases Opened

Year	Adult Court	Juvenile Court	Total Case Filings
FY 2011	31,822	907	32,729
FY 2012	30,675	814	31,489
FY 2013	30,590	761	31,351
FY 2014	30,095	679	30,774
FY 2015	28,666	714	29,380
FY 2016	28,969	840	29,809
FY 2017	27,474	804	28,278
FY 2018	26,439	656	27,095
FY 2019	21,606	685	22,291
FY 2020	19,377	690	20,067

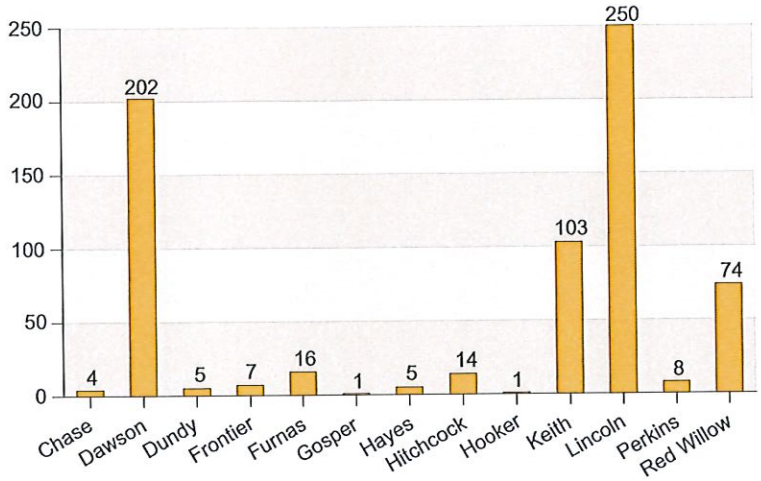
Fiscal Year 2020 Adult Court Cases Opened by County and Category

	MISD/ Ordinance Traffic	MISD/Ordinance Non-Traffic	Felony	Civil	Small Claims	Probate/ Inheritance Tax	Guardian/ Conservator	Adoption	Summary
Arthur	7	0	0	7	0	6	2	0	**22**
Chase	101	71	17	141	7	30	5	2	**374**
Dawson	1,411	1,047	394	1,643	38	83	34	15	**4,665**
Dundy	87	48	10	76	4	11	4	0	**240**
Frontier	56	102	22	134	7	17	6	0	**344**
Furnas	154	110	74	331	14	25	5	5	**718**
Gosper	267	99	9	95	6	14	0	0	**490**
Hayes	21	28	2	25	1	8	0	0	**85**
Hitchcock	122	147	8	171	4	30	4	0	**486**
Hooker	73	11	1	10	0	5	0	0	**100**
Keith	839	1,037	136	301	27	43	4	5	**2,392**
Lincoln	2,299	1,718	565	2,252	101	143	53	27	**7,158**
Logan	230	29	3	23	2	1	1	0	**289**
Mcpherson	15	6	0	8	1	6	2	2	**40**
Perkins	143	82	15	61	10	22	5	2	**340**
Red Willow	305	374	101	571	29	44	16	6	**1,446**
Thomas	114	25	4	34	1	4	6	0	**188**
Summary	**6,244**	**4,934**	**1,361**	**5,883**	**252**	**492**	**147**	**64**	**19,377**

1 domestic relations cases were referred to county judges.

11th Judicial District - County Court Juvenile Cases Opened

Fiscal Year 2020 County Court Juvenile Cases Opened by District



Historical Cases Opened			
Year	Adult Court	Juvenile Court	Total Case Filings
FY 2011	31,822	907	32,729
FY 2012	30,675	814	31,489
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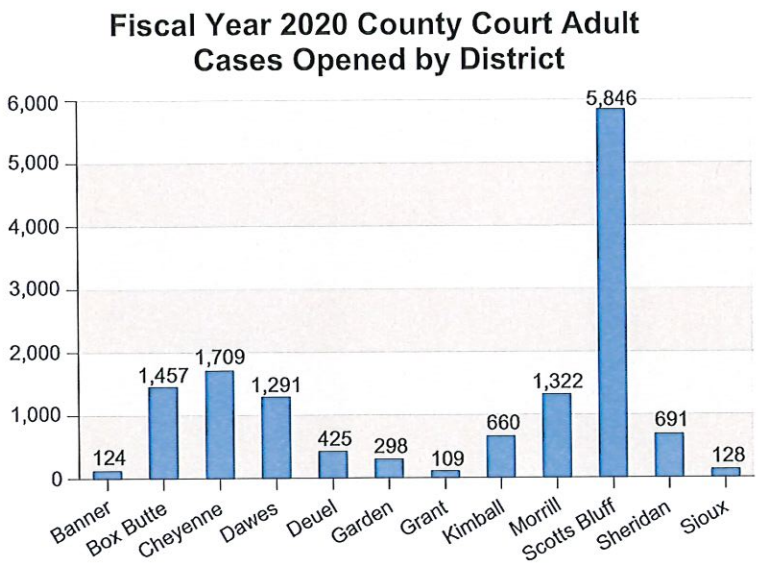
FY 2017	27,474	804	28,278
FY 2018	26,439	656	27,095
FY 2019	21,606	685	22,291
FY 2020	19,377	690	20,067

Fiscal Year 2020 Juvenile Court Cases Opened by County and Category

	Misdemeanor (1)	Felony (2)	Neglected / Dependent (3A)	Status Offender (3B)	Mentally Ill and Dangerous (3C)	Infraction (4)	Parental (5-8)	Summary
Chase	2	0	0	0	0	2	0	4
Dawson	99	19	68	15	1	0	0	202
Dundy	5	0	0	0	0	0	0	5
Frontier	1	0	3	2	1	0	0	7
Furnas	1	7	4	3	1	0	0	16
Gosper	1	0	0	0	0	0	0	1
Hayes	5	0	0	0	0	0	0	5
Hitchcock	6	5	3	0	0	0	0	14
Hooker	0	0	0	1	0	0	0	1
Keith	76	8	13	5	1	0	0	103
Lincoln	69	9	132	32	3	4	1	250
Perkins	7	0	1	0	0	0	0	8
Red Willow	41	3	9	19	0	0	2	74
Summary	**313**	**51**	**233**	**77**	**7**	**6**	**3**	**690**

Unless otherwise noted, one juvenile case was opened per child involved.

12th Judicial District - County Court Adult Cases Opened



Historical Cases Opened

Year	Adult Court	Juvenile Court	Total Case Filings
FY 2011	21,066	784	21,850
FY 2012	21,547	732	22,279
FY 2013	20,796	801	21,597
FY 2014	19,491	585	20,076
FY 2015	20,688	603	21,291
FY 2016	20,251	676	20,927
FY 2017	19,739	613	20,352
FY 2018	17,821	644	18,465
FY 2019	14,961	675	15,636
FY 2020	14,060	681	14,741

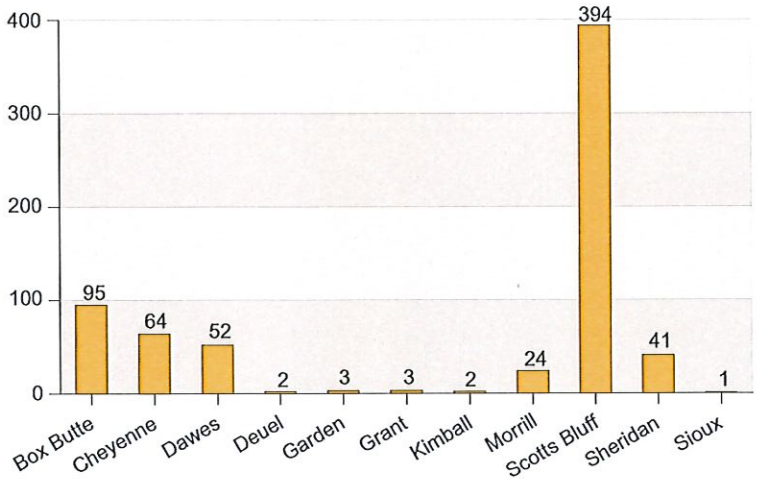
Fiscal Year 2020 Adult Court Cases Opened by County and Category

	MISD/ Ordinance Traffic	MISD/Ordinance Non-Traffic	Felony	Civil	Small Claims	Probate/ Inheritance Tax	Guardian/ Conservator	Adoption	Summary
Banner	78	19	5	20	1	0	0	1	**124**
Box Butte	375	336	134	528	29	43	6	6	**1,457**
Cheyenne	628	466	148	389	16	51	11	0	**1,709**
Dawes	406	523	76	202	41	32	7	4	**1,291**
Deuel	213	124	20	51	3	11	3	0	**425**
Garden	128	47	11	79	2	26	3	2	**298**
Grant	86	9	1	8	1	4	0	0	**109**
Kimball	273	181	41	123	9	27	4	2	**660**
Morrill	728	300	43	220	9	16	6	0	**1,322**
Scotts Bluff	968	1,821	672	2,098	91	122	46	28	**5,846**
Sheridan	213	270	61	106	9	29	3	0	**691**
Sioux	69	31	3	19	0	6	0	0	**128**
Summary	**4,165**	**4,127**	**1,215**	**3,843**	**211**	**367**	**89**	**43**	**14,060**

97 domestic relations cases were referred to county judges.

12th Judicial District - County Court Juvenile Cases Opened

Fiscal Year 2020 County Court Juvenile Cases Opened by District



Historical Cases Opened

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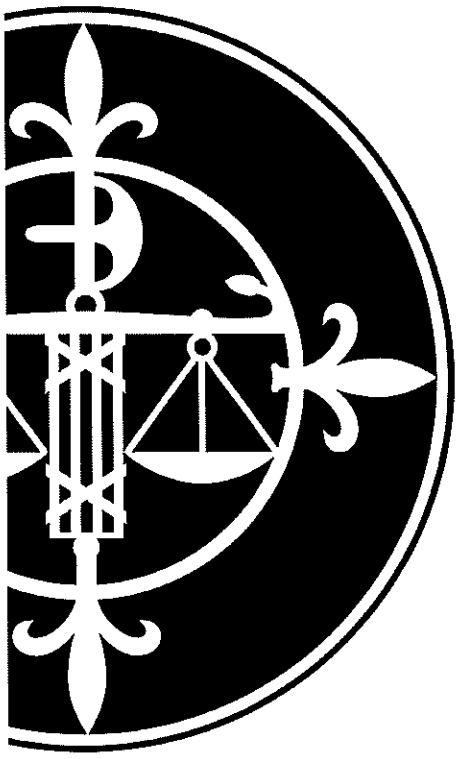
FY 2017	19,739	613	20,352
FY 2018	17,821	644	18,465
FY 2019	14,961	675	15,636
FY 2020	14,060	681	14,741

Fiscal Year 2020 Juvenile Court Cases Opened by County and Category

	Misdemeanor (1)	Felony (2)	Neglected / Dependent (3A)	Status Offender (3B)	Mentally Ill and Dangerous (3C)	Infraction (4)	Summary
Box Butte	48	11	31	5	0	0	**95**
Cheyenne	28	6	26	4	0	0	**64**
Dawes	31	13	5	2	0	1	**52**
Deuel	1	0	0	1	0	0	**2**
Garden	2	0	0	1	0	0	**3**
Grant	3	0	0	0	0	0	**3**
Kimball	0	1	1	0	0	0	**2**
Morrill	11	4	7	2	0	0	**24**
Scotts Bluff	230	28	87	47	2	0	**394**
Sheridan	23	8	5	4	0	1	**41**
Sioux	0	0	1	0	0	0	**1**
Summary	**377**	**71**	**163**	**66**	**2**	**2**	**681**

Dawes County had 10 Juvenile 3A cases opened which involved 22 children.

Unless otherwise noted, one juvenile case was opened per child involved.



Nebraska Judicial Branch
Annual Caseload Report

District Courts

Fiscal Year 2020
July 1, 2019 to
June 30, 2020

Nebraska District Courts
Annual Caseload Report

Fiscal Year 2020 — July 1, 2019 to June 30, 2020

This Annual District Court Caseload Report contains caseload statistics for Nebraska's 93 District Courts, grouped into twelve Judicial Districts. Statistics are compiled through extracts from the JUSTICE automated trial court case management system. Providing court statistics ensures transparency to the public and assists administration in ensuring efficient court practices.

Caseload statistics demonstrate the volume of cases in each jurisdiction and the changes that occur over time. Data are useful in determining staffing levels and for predicting the effect on caseloads due to changes in the law.

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Reports are available for all levels of state appellate and trial courts at www.supremecourt.ne.gov > Administration > Publications and Reports.

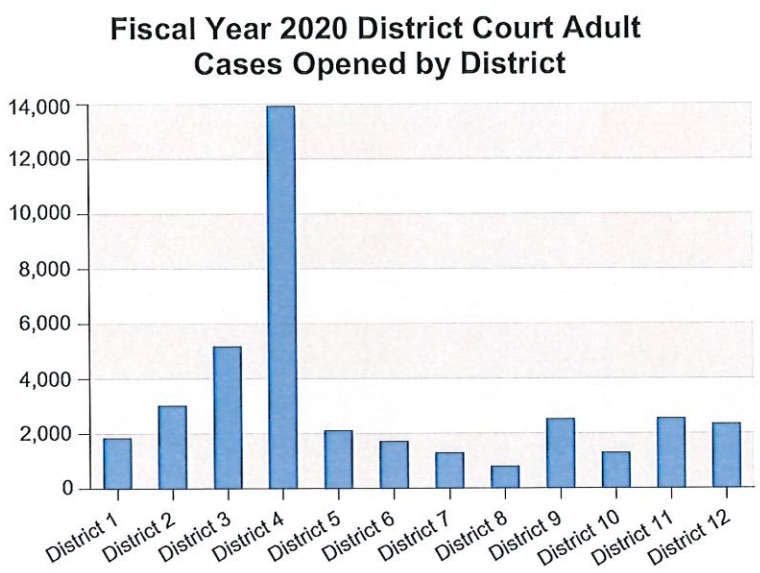
Mission of the Nebraska Administrative Office of the Courts:

Under the direction of the Nebraska Supreme Court, the Administrative Office of the Courts' mission is to ensure the public has equal access to justice, using leadership, education, technology, and administrative services to implement consistent, efficient, and effective court practices.

Corey R. Steel | Nebraska State Court Administrator
Nebraska Supreme Court

Rm. 1213 State Capitol | P.O. Box 98910 | Lincoln, NE 68509
T 402.471.3730 | F 402.471.2197
www.supremecourt.ne.gov

Fiscal Year 2020 Nebraska District Court Adult Annual Cases Opened



Historical Cases Opened	
Year	Adult Court
FY 2011	42,428
FY 2012	41,402
FY 2013	39,742
FY 2014	39,619
FY 2015	39,838
FY 2016	41,060
FY 2017	42,240
FY 2018	42,351
FY 2019	40,800
FY 2020	38,534

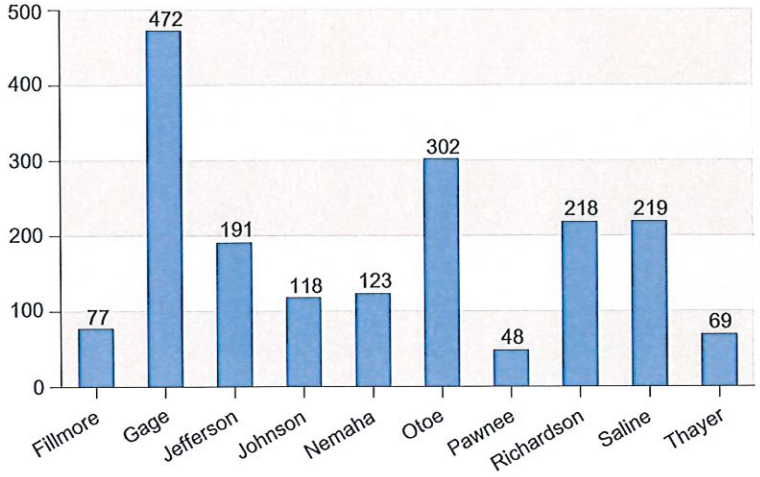
Fiscal Year 2020 Adult Court Cases Opened by Category and District

	Criminal	Regular Civil	Domestic Relations	Appellate Action	Summary
District 1	493	301	1,021	22	**1,837**
District 2	754	411	1,848	12	**3,025**
District 3	1,271	842	2,935	122	**5,170**
District 4	4,883	2,111	6,822	98	**13,914**
District 5	643	308	1,121	32	**2,104**
District 6	436	264	996	10	**1,706**
District 7	450	153	643	42	**1,288**
District 8	140	213	417	29	**799**
District 9	968	244	1,287	21	**2,520**
District 10	350	185	741	9	**1,285**
District 11	929	354	1,247	11	**2,541**
District 12	923	317	1,070	35	**2,345**
Summary	**12,240**	**5,703**	**20,148**	**443**	**38,534**

3,045 domestic relations cases were referred to county judges.

1st Judicial District - District Court Adult Cases Opened

Fiscal Year 2020 District Court Adult Cases Opened by District



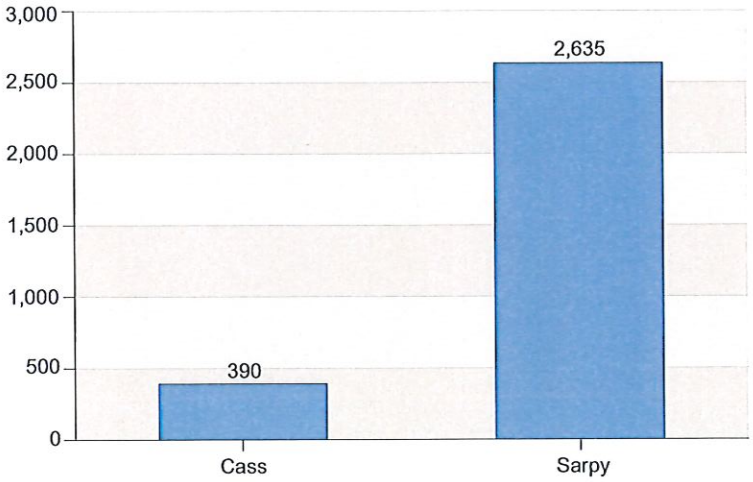
Historical Cases Opened	
Year	Adult Court
FY 2011	2,232
FY 2012	2,285
FY 2013	1,964
FY 2014	2,121
FY 2015	2,067
FY 2016	2,180
FY 2017	2,052
FY 2018	2,033
FY 2019	2,076
FY 2020	1,837

Fiscal Year 2020 Adult Court Cases Opened By County By Category

	Criminal	Regular Civil	Domestic Relations	Appellate Action	Summary
Fillmore	17	18	39	3	**77**
Gage	136	55	276	5	**472**
Jefferson	53	38	98	2	**191**
Johnson	26	43	46	3	**118**
Nemaha	29	23	70	1	**123**
Otoe	105	35	161	1	**302**
Pawnee	11	9	28	0	**48**
Richardson	61	32	124	1	**218**
Saline	45	30	139	5	**219**
Thayer	10	18	40	1	**69**
Summary	**493**	**301**	**1,021**	**22**	**1,837**

224 domestic relations cases were referred to county judges.

2nd Judicial District - District Court Adult Cases Opened



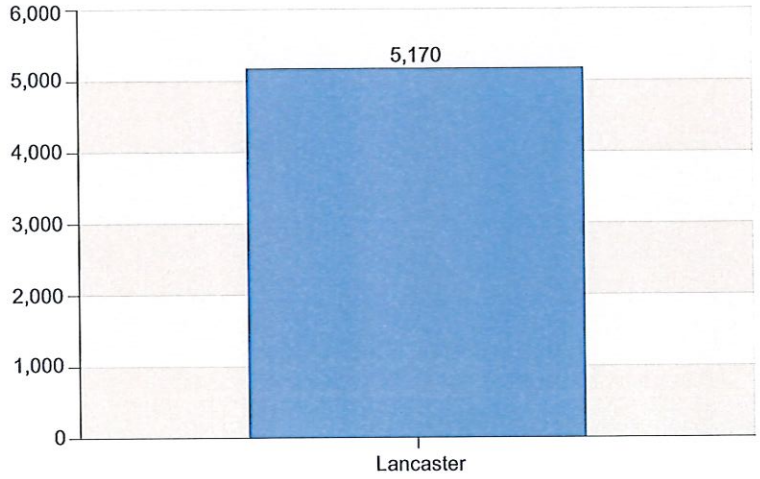
Historical Cases Opened	
Year	Adult Court
FY 2011	3,066
FY 2012	2,959
FY 2013	2,782
FY 2014	2,797
FY 2015	2,849
FY 2016	3,143
FY 2017	3,406
FY 2018	3,554
FY 2019	3,389
FY 2020	3,025

Fiscal Year 2020 Adult Court Cases Opened By County By Category

	Criminal	Regular Civil	Domestic Relations	Appellate Action	Summary
Cass	96	60	233	1	**390**
Sarpy	658	351	1,615	11	**2,635**
Summary	**754**	**411**	**1,848**	**12**	**3,025**

243 domestic relations cases were referred to county judges.

3rd Judicial District - District Court Adult Cases Opened



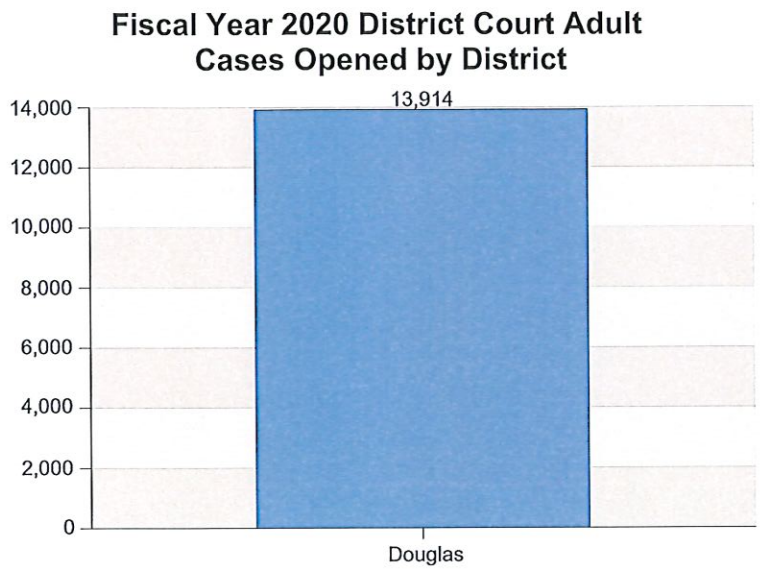
Historical Cases Opened	
Year	Adult Court
FY 2011	5,957
FY 2012	5,888
FY 2013	5,856
FY 2014	6,056
FY 2015	5,789
FY 2016	5,998
FY 2017	6,388
FY 2018	5,571
FY 2019	5,495
FY 2020	5,170

Fiscal Year 2020 Adult Court Cases Opened By County By Category

	Criminal	Regular Civil	Domestic Relations	Appellate Action	Summary
Lancaster	1,271	842	2,935	122	5,170
Summary	**1,271**	**842**	**2,935**	**122**	**5,170**

335 domestic relations cases were referred to county judges.

4th Judicial District - District Court Adult Cases Opened



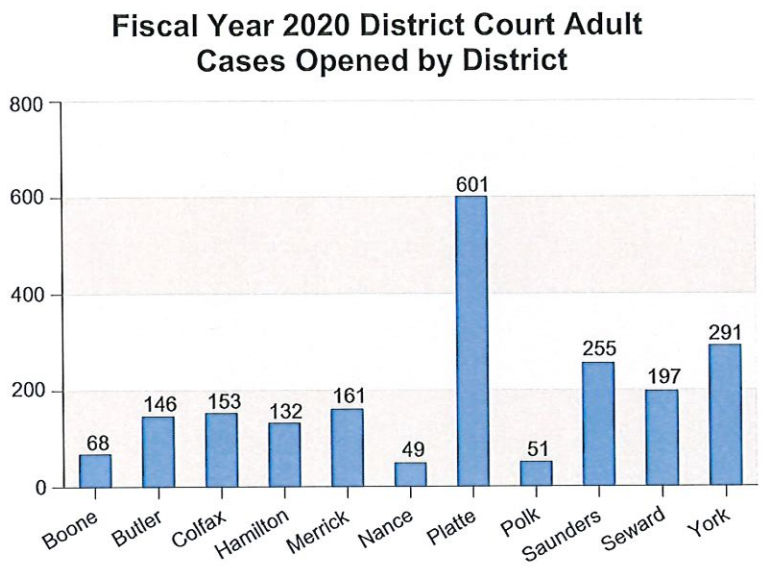
Historical Cases Opened	
Year	Adult Court
FY 2011	14,836
FY 2012	14,220
FY 2013	13,787
FY 2014	13,532
FY 2015	13,944
FY 2016	14,143
FY 2017	14,885
FY 2018	15,454
FY 2019	14,566
FY 2020	13,914

Fiscal Year 2020 Adult Court Cases Opened By County By Category

	Criminal	Regular Civil	Domestic Relations	Appellate Action	Summary
Douglas	4,883	2,111	6,822	98	13,914
Summary	**4,883**	**2,111**	**6,822**	**98**	**13,914**

1,495 domestic relations cases were referred to county judges.

5th Judicial District - District Court Adult Cases Opened



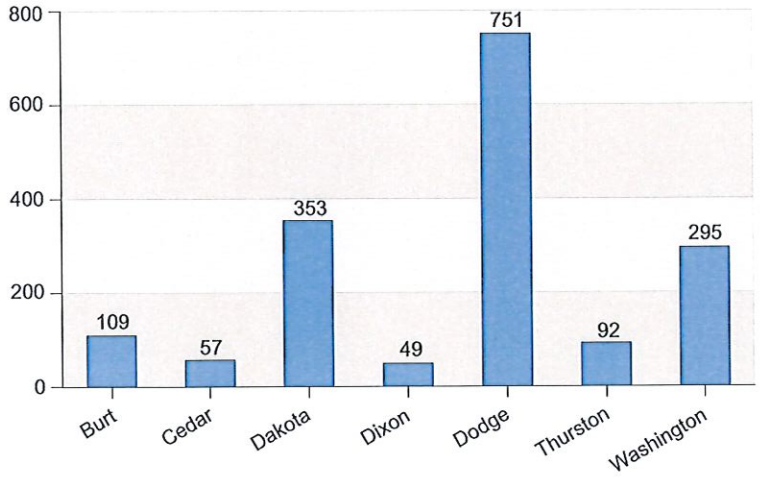
Historical Cases Opened	
Year	Adult Court
FY 2011	2,583
FY 2012	2,574
FY 2013	2,533
FY 2014	2,472
FY 2015	2,325
FY 2016	2,454
FY 2017	2,355
FY 2018	2,252
FY 2019	2,278
FY 2020	2,104

Fiscal Year 2020 Adult Court Cases Opened By County By Category

	Criminal	Regular Civil	Domestic Relations	Appellate Action	Summary
Boone	14	8	46	0	**68**
Butler	53	17	70	6	**146**
Colfax	35	17	95	6	**153**
Hamilton	48	16	68	0	**132**
Merrick	75	22	61	3	**161**
Nance	10	6	32	1	**49**
Platte	160	62	374	5	**601**
Polk	4	16	31	0	**51**
Saunders	78	51	124	2	**255**
Seward	62	36	90	9	**197**
York	104	57	130	0	**291**
Summary	**643**	**308**	**1,121**	**32**	**2,104**

124 domestic relations cases were referred to county judges.

6th Judicial District - District Court Adult Cases Opened



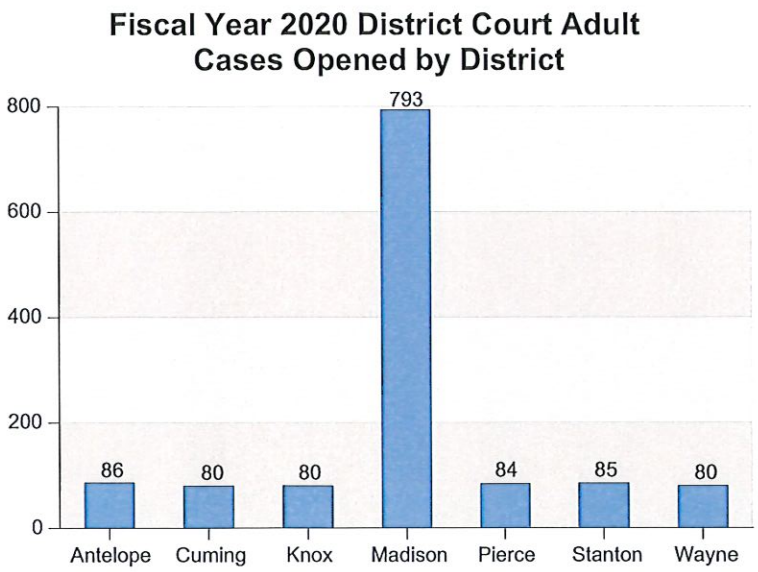
Historical Cases Opened	
Year	Adult Court
FY 2011	1,887
FY 2012	1,884
FY 2013	1,856
FY 2014	1,842
FY 2015	1,872
FY 2016	2,063
FY 2017	1,941
FY 2018	1,953
FY 2019	1,832
FY 2020	1,706

Fiscal Year 2020 Adult Court Cases Opened By County By Category

	Criminal	Regular Civil	Domestic Relations	Appellate Action	Summary
Burt	11	27	71	0	**109**
Cedar	9	13	35	0	**57**
Dakota	126	45	180	2	**353**
Dixon	8	12	29	0	**49**
Dodge	158	102	485	6	**751**
Thurston	17	11	63	1	**92**
Washington	107	54	133	1	**295**
Summary	**436**	**264**	**996**	**10**	**1,706**

150 domestic relations cases were referred to county judges.

7th Judicial District - District Court Adult Cases Opened



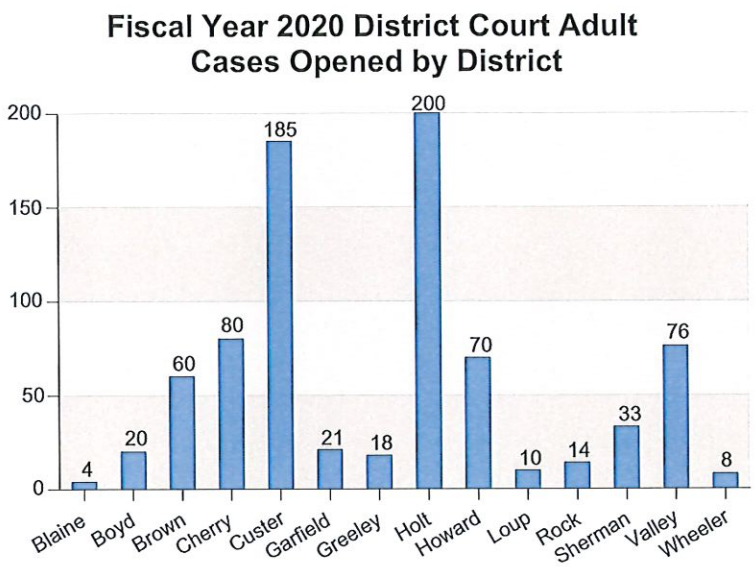
Historical Cases Opened	
Year	Adult Court
FY 2011	1,553
FY 2012	1,494
FY 2013	1,366
FY 2014	1,231
FY 2015	1,223
FY 2016	1,305
FY 2017	1,362
FY 2018	1,406
FY 2019	1,383
FY 2020	1,288

Fiscal Year 2020 Adult Court Cases Opened By County By Category

	Criminal	Regular Civil	Domestic Relations	Appellate Action	Summary
Antelope	17	11	39	19	86
Cuming	17	15	45	3	80
Knox	17	25	38	0	80
Madison	326	64	384	19	793
Pierce	21	16	47	0	84
Stanton	34	12	38	1	85
Wayne	18	10	52	0	80
Summary	**450**	**153**	**643**	**42**	**1,288**

84 domestic relations cases were referred to county judges.

8th Judicial District - District Court Adult Cases Opened



Historical Cases Opened

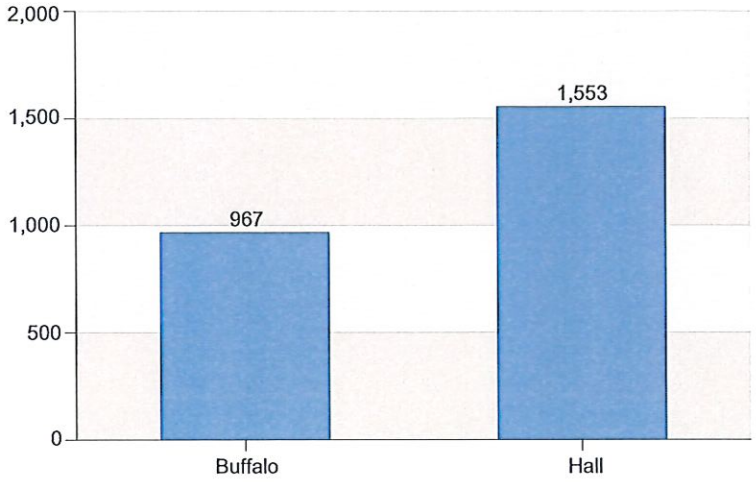
Year	Adult Court
FY 2011	886
FY 2012	885
FY 2013	869
FY 2014	797
FY 2015	804
FY 2016	874
FY 2017	902
FY 2018	849
FY 2019	810
FY 2020	799

Fiscal Year 2020 Adult Court Cases Opened By County By Category

	Criminal	Regular Civil	Domestic Relations	Appellate Action	Summary
Blaine	1	2	1	0	**4**
Boyd	4	2	13	1	**20**
Brown	13	12	35	0	**60**
Cherry	16	21	40	3	**80**
Custer	33	53	98	1	**185**
Garfield	0	7	14	0	**21**
Greeley	2	7	8	1	**18**
Holt	35	53	89	23	**200**
Howard	14	13	43	0	**70**
Loup	1	2	7	0	**10**
Rock	1	10	3	0	**14**
Sherman	7	6	20	0	**33**
Valley	13	20	43	0	**76**
Wheeler	0	5	3	0	**8**
Summary	**140**	**213**	**417**	**29**	**799**

49 domestic relations cases were referred to county judges.

9th Judicial District - District Court Adult Cases Opened



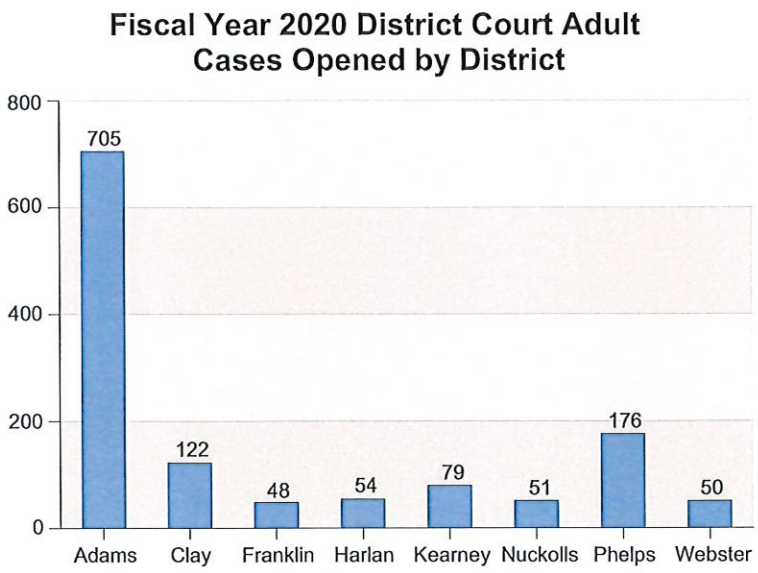
Historical Cases Opened	
Year	Adult Court
FY 2011	2,872
FY 2012	2,707
FY 2013	2,605
FY 2014	2,573
FY 2015	2,758
FY 2016	2,651
FY 2017	2,732
FY 2018	2,762
FY 2019	2,701
FY 2020	2,520

Fiscal Year 2020 Adult Court Cases Opened By County By Category

	Criminal	Regular Civil	Domestic Relations	Appellate Action	Summary
Buffalo	416	110	432	9	**967**
Hall	552	134	855	12	**1,553**
Summary	**968**	**244**	**1,287**	**21**	**2,520**

188 domestic relations cases were referred to county judges.

10th Judicial District - District Court Adult Cases Opened



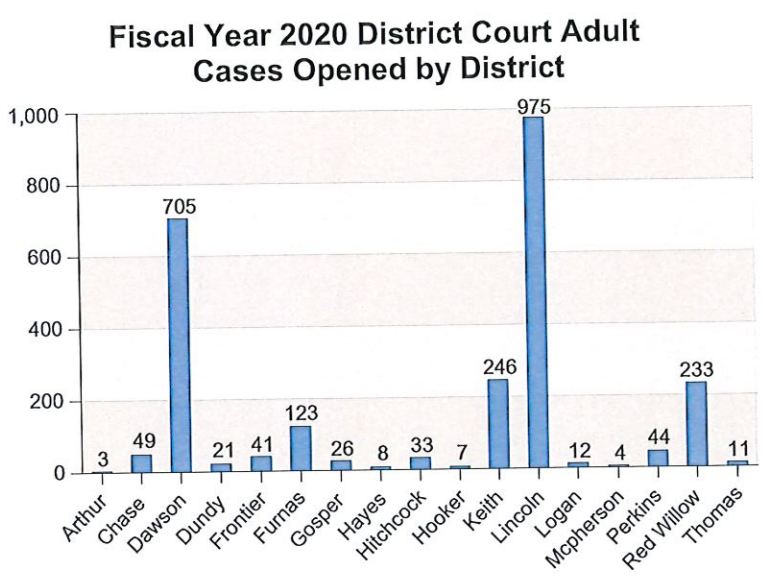
Historical Cases Opened	
Year	Adult Court
FY 2011	1,784
FY 2012	1,643
FY 2013	1,355
FY 2014	1,380
FY 2015	1,370
FY 2016	1,324
FY 2017	1,293
FY 2018	1,261
FY 2019	1,243
FY 2020	1,285

Fiscal Year 2020 Adult Court Cases Opened By County By Category

	Criminal	Regular Civil	Domestic Relations	Appellate Action	Summary
Adams	244	75	381	5	**705**
Clay	34	16	72	0	**122**
Franklin	5	11	32	0	**48**
Harlan	16	15	23	0	**54**
Kearney	19	18	41	1	**79**
Nuckolls	4	13	34	0	**51**
Phelps	24	29	120	3	**176**
Webster	4	8	38	0	**50**
Summary	**350**	**185**	**741**	**9**	**1,285**

55 domestic relations cases were referred to county judges.

11th Judicial District - District Court Adult Cases Opened



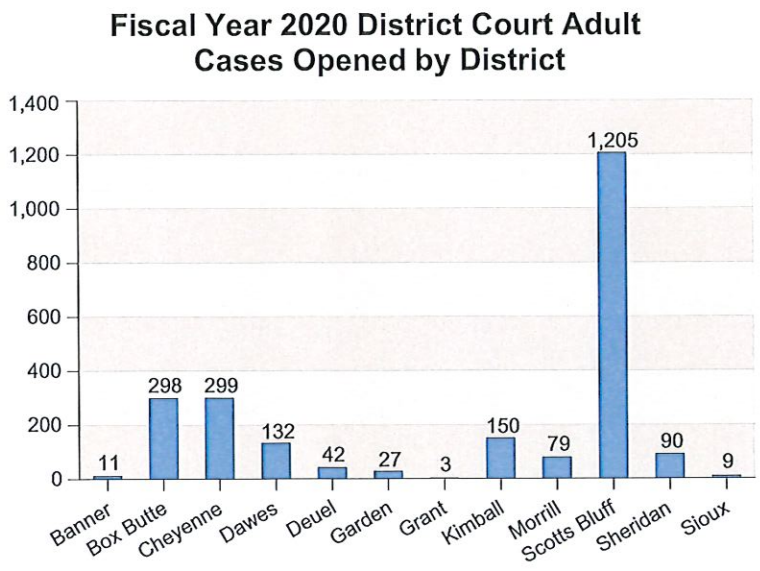
Historical Cases Opened	
Year	Adult Court
FY 2011	2,398
FY 2012	2,591
FY 2013	2,561
FY 2014	2,669
FY 2015	2,699
FY 2016	2,708
FY 2017	2,671
FY 2018	2,818
FY 2019	2,596
FY 2020	2,541

Fiscal Year 2020 Adult Court Cases Opened By County By Category

	Criminal	Regular Civil	Domestic Relations	Appellate Action	Summary
Arthur	0	2	1	0	3
Chase	13	14	21	1	49
Dawson	331	51	323	0	705
Dundy	3	10	8	0	21
Frontier	9	12	20	0	41
Furnas	44	20	58	1	123
Gosper	7	8	11	0	26
Hayes	0	5	3	0	8
Hitchcock	5	12	16	0	33
Hooker	0	1	6	0	7
Keith	134	30	81	1	246
Lincoln	307	112	549	7	975
Logan	2	5	5	0	12
Mcpherson	0	3	1	0	4
Perkins	11	11	22	0	44
Red Willow	61	55	116	1	233
Thomas	2	3	6	0	11
Summary	**929**	**354**	**1,247**	**11**	**2,541**

1 domestic relations cases were referred to county judges.

12th Judicial District - District Court Adult Cases Opened

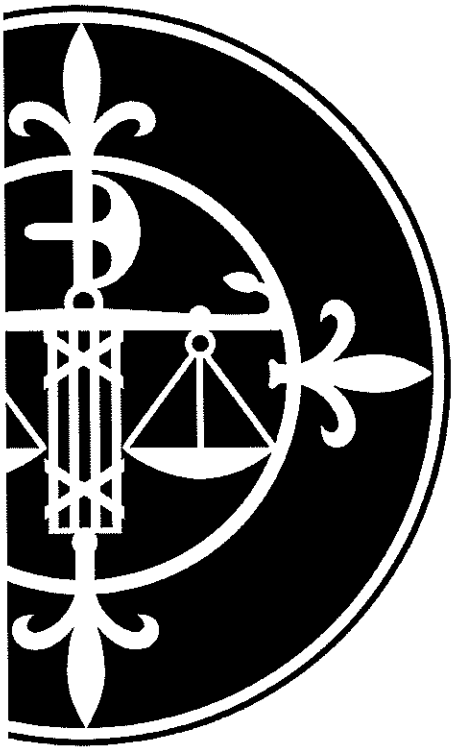


Historical Cases Opened	
Year	Adult Court
FY 2011	2,374
FY 2012	2,272
FY 2013	2,208
FY 2014	2,149
FY 2015	2,138
FY 2016	2,217
FY 2017	2,253
FY 2018	2,438
FY 2019	2,431
FY 2020	2,345

Fiscal Year 2020 Adult Court Cases Opened By County By Category

	Criminal	Regular Civil	Domestic Relations	Appellate Action	Summary
Banner	1	6	4	0	**11**
Box Butte	109	30	151	8	**298**
Cheyenne	112	36	150	1	**299**
Dawes	35	17	79	1	**132**
Deuel	22	6	14	0	**42**
Garden	6	6	15	0	**27**
Grant	0	2	1	0	**3**
Kimball	36	59	54	1	**150**
Morrill	24	13	41	1	**79**
Scotts Bluff	551	117	520	17	**1,205**
Sheridan	25	24	35	6	**90**
Sioux	2	1	6	0	**9**
Summary	**923**	**317**	**1,070**	**35**	**2,345**

97 domestic relations cases were referred to county judges.



Nebraska Judicial Branch
Annual Caseload Report

Separate Juvenile Courts

Fiscal Year 2020
July 1, 2019 to
June 30, 2020

Nebraska Separate Juvenile Courts
Annual Caseload Report

Fiscal Year 2020 — July 1, 2019 to June 30, 2020

This Annual Separate Juvenile Court Caseload Report contains caseload statistics for Nebraska's three Separate Juvenile Courts. Statistics are compiled through extracts from the JUSTICE automated trial court case management system. Providing court statistics ensures transparency to the public and assists administration in ensuring efficient court practices.

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Corey R. Steel | Nebraska State Court Administrator
Nebraska Supreme Court

Rm. 1213 State Capitol | P.O. Box 98910 | Lincoln, NE 68509
T 402.471.3730 | F 402.471.2197
www.supremecourt.ne.gov

Judges

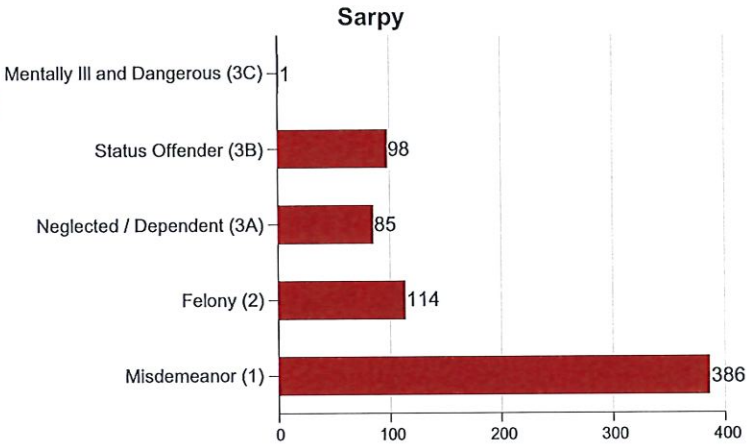
Honorable Lawrence Gendler

Honorable Robert O'Neal

Sarpy County Separate Juvenile Court FY 2020

Misdemeanor (1)	386
Felony (2)	114
Neglected / Dependent (3A)	85
Status Offender (3B)	98
Mentally Ill and Dangerous (3C)	1
Total Cases	**684**

The count of 3A cases includes Supplemental cases.



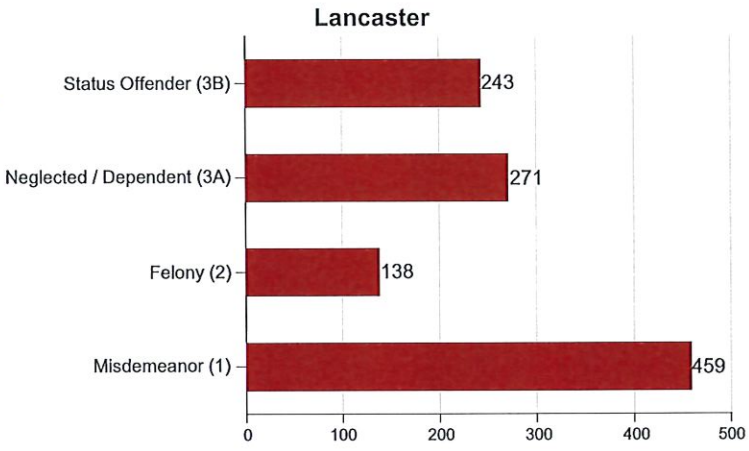
Judges

Honorable Linda Porter
Honorable Reggie Ryder
Honorable Roger Heideman
Honorable Elise M. W. White

Lancaster County Separate Juvenile Court FY 2020

Misdemeanor (1)	459
Felony (2)	138
Neglected / Dependent (3A)	271
Status Offender (3B)	243
Total Cases	**1,111**

The count of 3A cases includes Supplemental cases.



Judges

Honorable Christopher E. Kelly

Honorable Vernon Daniels

Honorable Matthew R. Kahler

Honorable Chad M. Brown

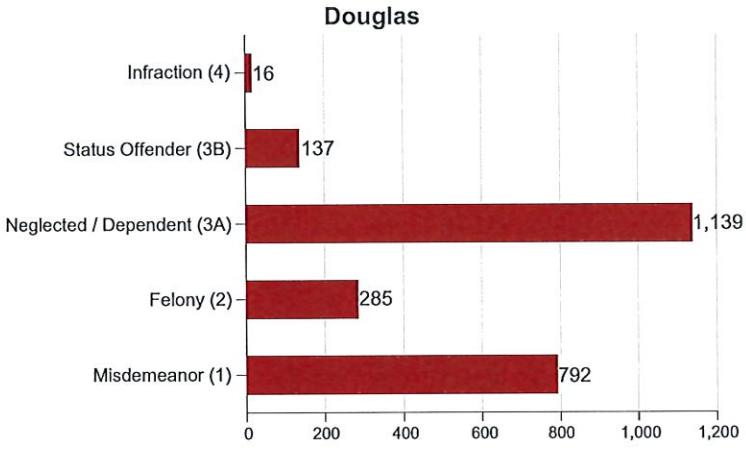
Honorable Amy N Schuchman

Honorable Mary M.Z. Stevens

Douglas County Separate Juvenile Court FY 2020

Misdemeanor (1)	792
Felony (2)	285
Neglected / Dependent (3A)	1,139
Status Offender (3B)	137
Infraction (4)	16
Total Cases	**2,369**

The count of 3A cases includes Supplemental cases.



Fiscal Year County Separate Juvenile Court

Separate Juvenile Courts Cases Opened - 10 Year History

	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Sarpy	915	743	754	744	717	699	691	755	680	684
Lancaster	2,808	2,505	2,440	2,376	2,439	2,213	2,012	1,202	1,376	1,111
Douglas	2,844	2,879	2,885	2,771	2,590	2,621	3,066	2,958	2,857	2,369
Summary	**6,567**	**6,127**	**6,079**	**5,891**	**5,746**	**5,533**	**5,769**	**4,915**	**4,913**	**4,164**

Case counts include Supplemental Petitions filed in Separate Juvenile Court.

Nebraska Judicial Branch

Weighted Caseload Report

County Courts

Reporting Period
Fiscal Year 2020

July 1, 2019 to
June 30, 2020

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Court Case Type Categories and Weights Appendix....page 17

Nebraska County Courts Weighted Caseload Report

The Weighted Caseload Reports contain standardized determinations of judicial resource need statistics across Nebraska's 93 District Courts, grouped into twelve Judicial Districts. The judiciary of Nebraska assesses the need for judicial positions using a weighted caseload method based on a 3-year average of cases filed. Reports are produced for County, District and Separate Juvenile Courts.

The Nebraska Administrative Office of the Courts and Probation (AOCP) updated these statistics by conducting a Weighted Caseload Study (2019 – 2020), under the direction and leadership of the National Center for State Court (NCSC) and Nebraska Supreme Court. The Judicial Needs Assessment Committee (JNAC) consisting of county, district and separate juvenile court judges, court administrators, and technical staff, provided oversight and guidance on matters of policy throughout project.

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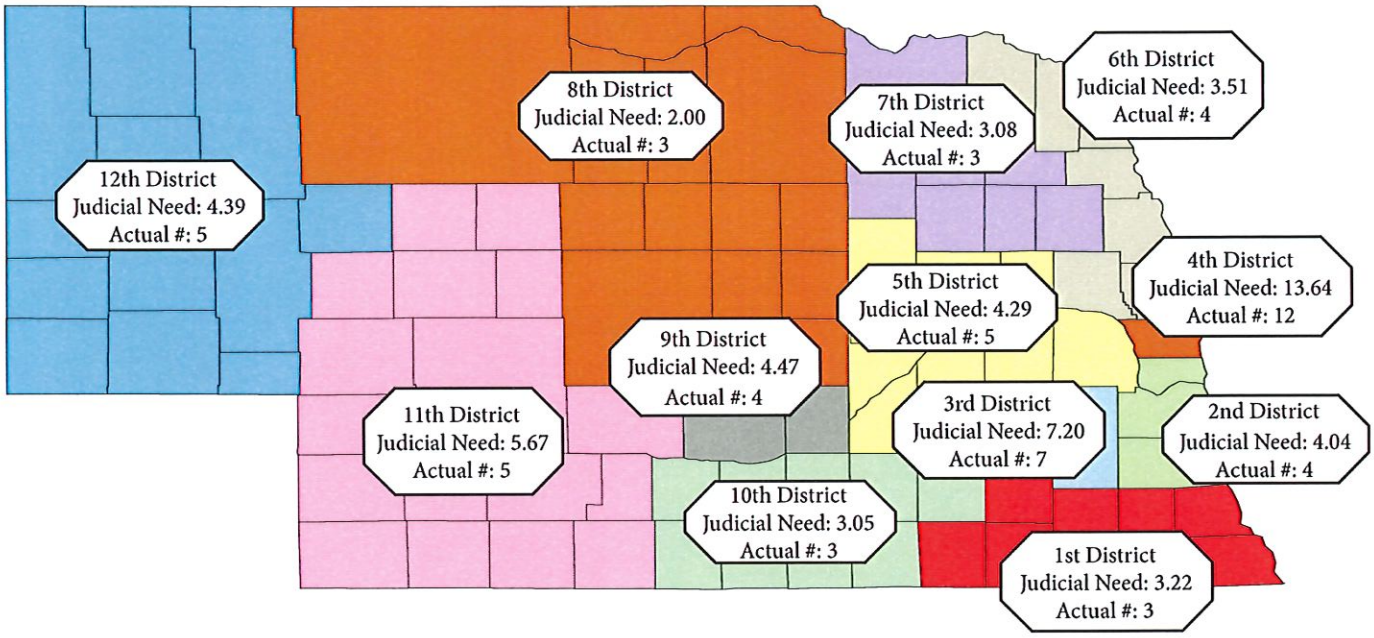
Nebraska County Court Judicial Needs

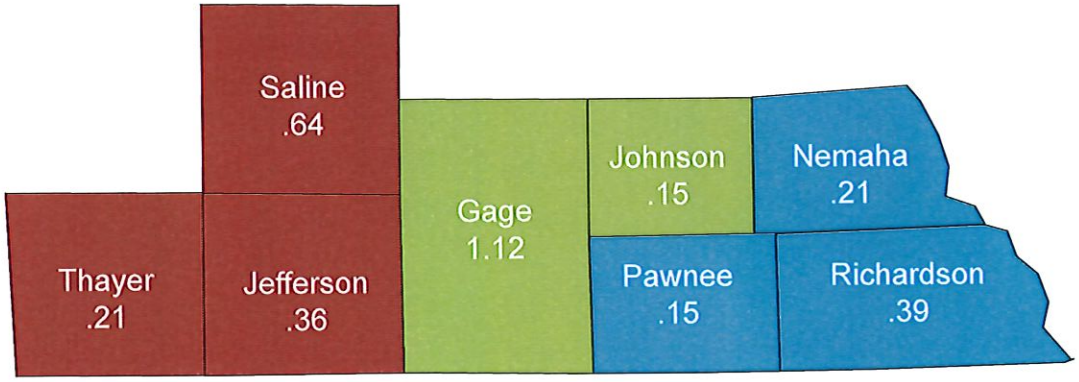
Fiscal Year 200 (July 1, 2019 - June 30, 2020)



Weighted Caseload Report
1st Judicial District - County Court

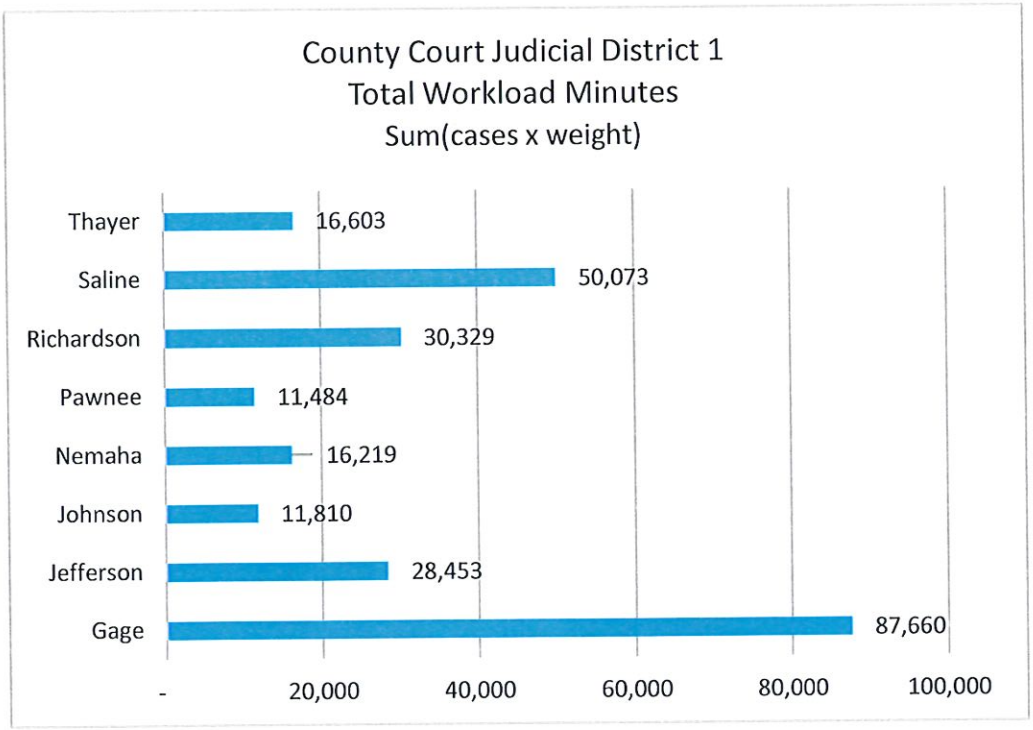
County court need for judges: 3.22
Current number of judges: 3
Workload per judge: 1.07

Predicted judicial resources need by county



Primary Counties Served by 1st District Judges

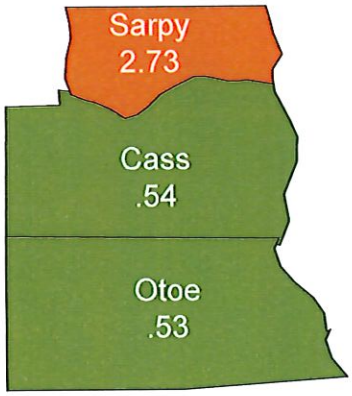
Maschman
Nemaha
Pawnee
Richardson
Bauer
Jefferson
Saline
Thayer
Timm
Gage
Johnson



Weighted Caseload Report
2nd Judicial District - County Court

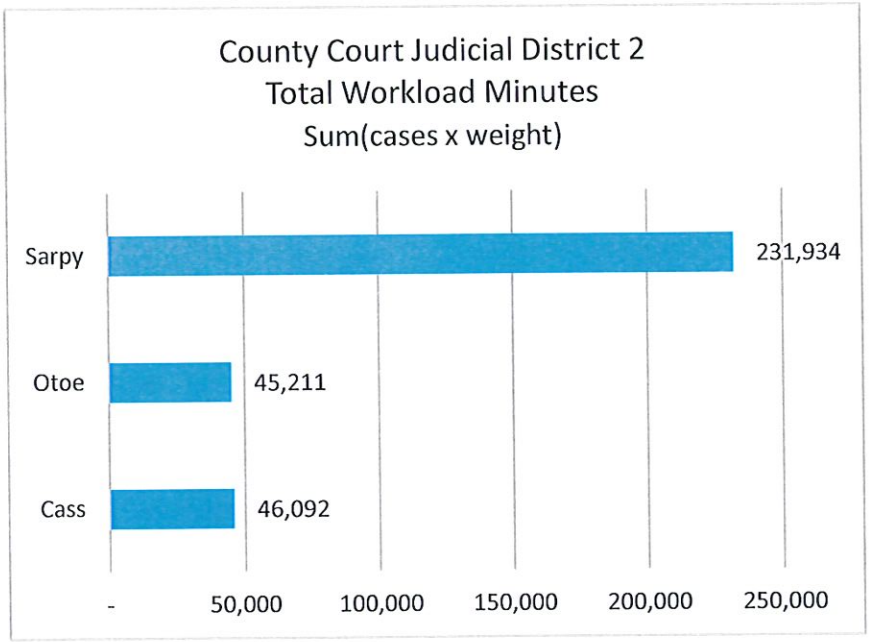
County court need for judges: 3.80
Current number of judges: 4
Workload per judge: 0.95

Predicted judicial resources need by county



Primary Counties Served by 2nd District Judges

Freeman
Sarpy
Hutton
Sarpy
Partsch
Cass
Otoe
Wester
Sarpy

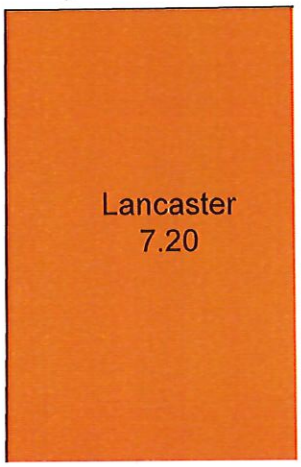


*Sarpy County Juvenile Judge Robert O'Neal hears all Otoe County Juvenile Cases. Sarpy County Juvenile Judge Lawrence D. Gendler hears all Cass County Juvenile Cases.
(Juvenile cases have been removed from Otoe and Cass County weighted cases and added to Sarpy County weighted cases.)

Weighted Caseload Report
3rd Judicial District - County Court

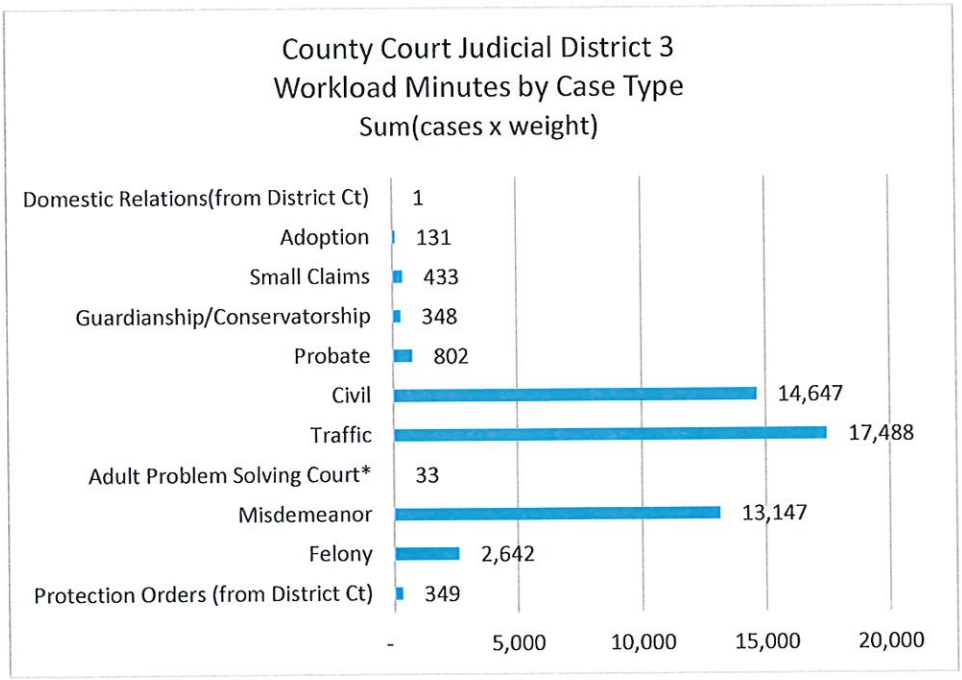
County court need for judges: 7.20
Current number of judges: 7
Workload per judge: 1.03

Predicted judicial resources need



Judges Serving the 3rd District County Court

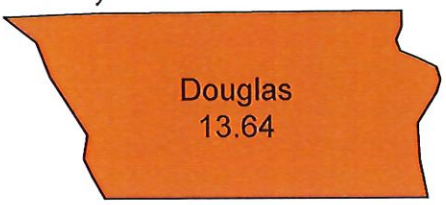
Acton
Dalton
Parsley
Phillips
Reuter
Yardley
Zimmerman



Weighted Caseload Report
4th Judicial District - County Court

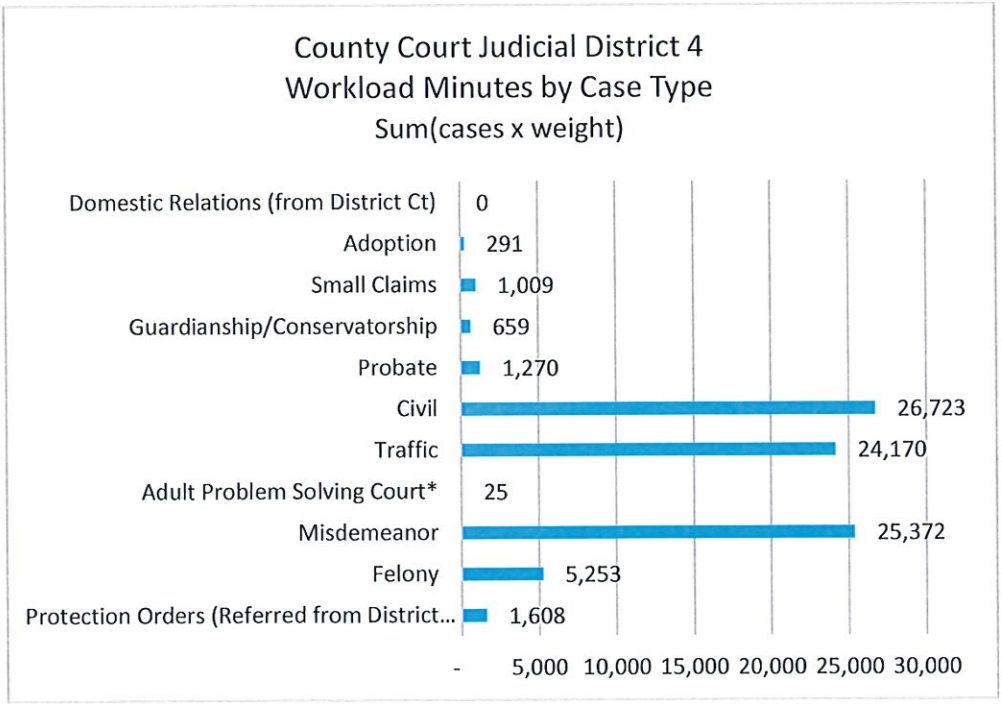
County court need for judges: 13.64
Current number of judges: 12
Workload per judge: 1.14

Predicted judicial resources need



Judges Serving the 4th District County Court

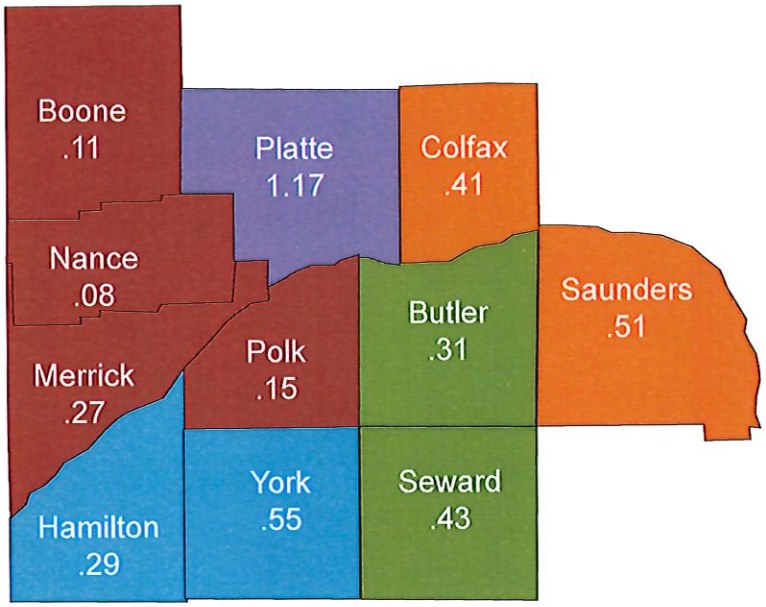
Forsberg
Hansen
Harmon
Hendrix
Huber
Keim
Lohaus
Lowe
Marcuzzo
McDermott
Shearer
Vaughn



Weighted Caseload Report
5th Judicial District - County Court

County court need for judges: 4.29
Current number of judges: 5
Workload per judge: 0.86

Predicted judicial resources need by county



Primary Counties Served by 5th District Judges

Caster Senff
Hamilton
York

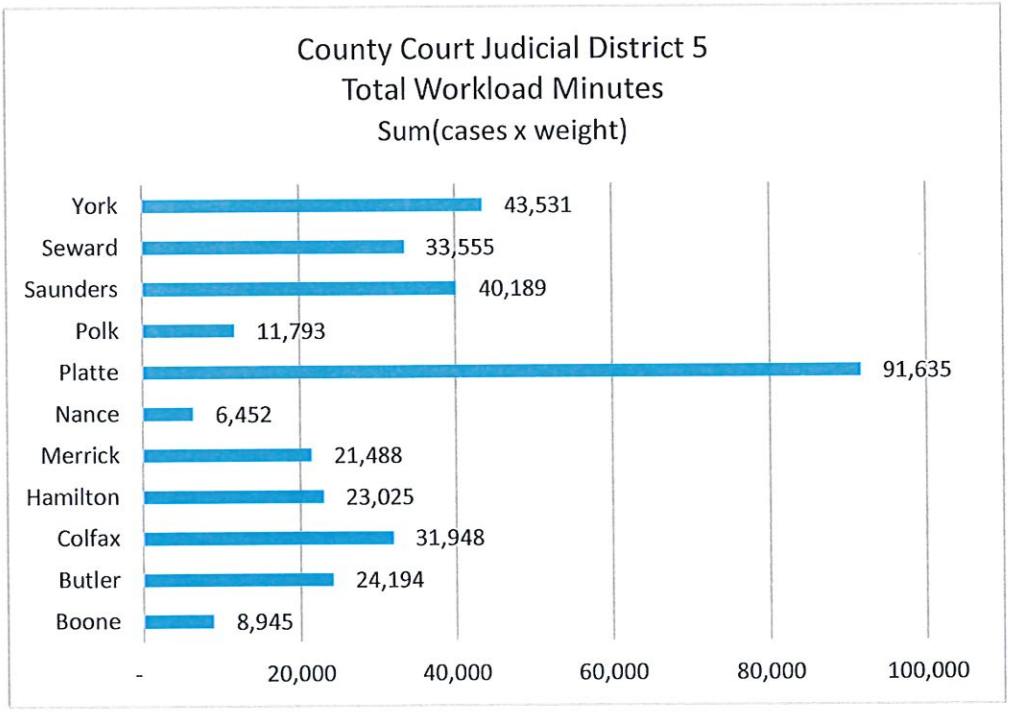
Twiss
Merrick
Nance
Boone
Polk

Lange
Colfax
Saunders

Petersen
Seward
Butler

Conflict Cases in Saunders

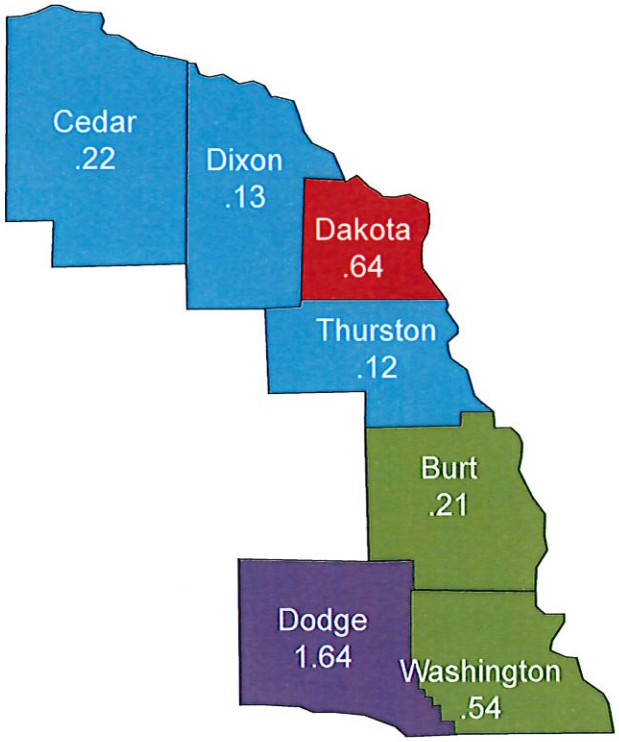
Skorupa
Platte



Weighted Caseload Report
6th Judicial District - County Court

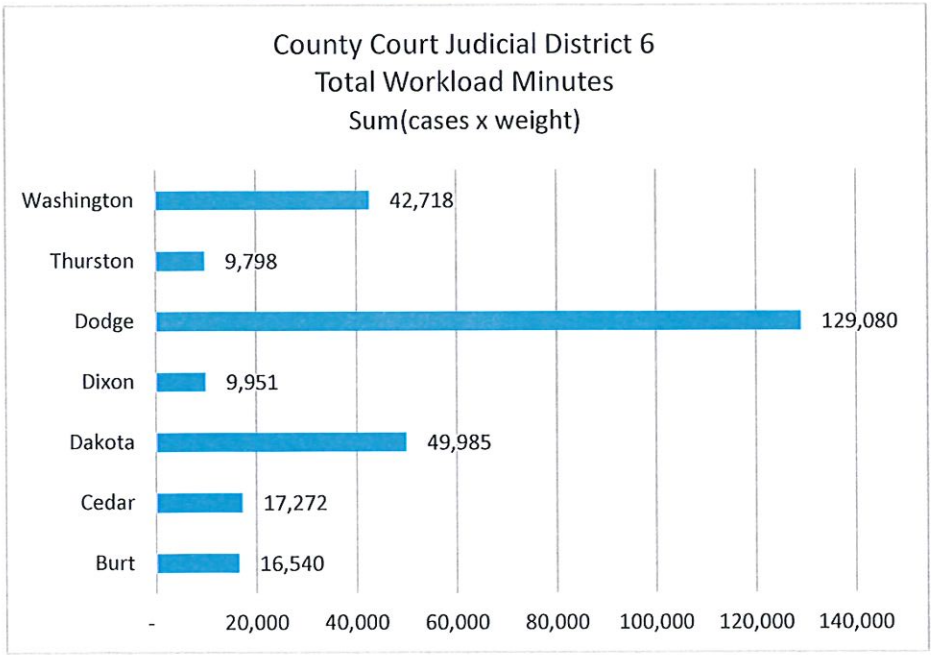
County court need for judges: 3.51
Current number of judges: 4
Workload per judge: 0.88

Predicted judicial resources need by county



Primary Counties Served by 6th District Judges

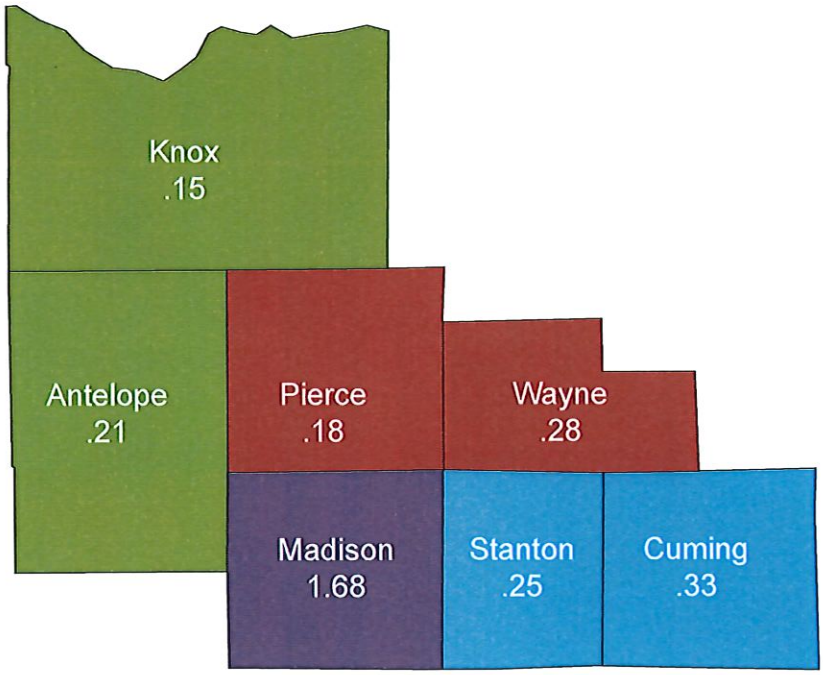
Luebe
Cedar
Dixon
Thurston
Vacant
Dakota
Barron
Burt
Washington
Dodge
Vampola
Dodge



Weighted Caseload Report
7th Judicial District - County Court

County court need for judges: 3.08
Current number of judges: 3
Workload per judge: 1.03

Predicted judicial resources need by county

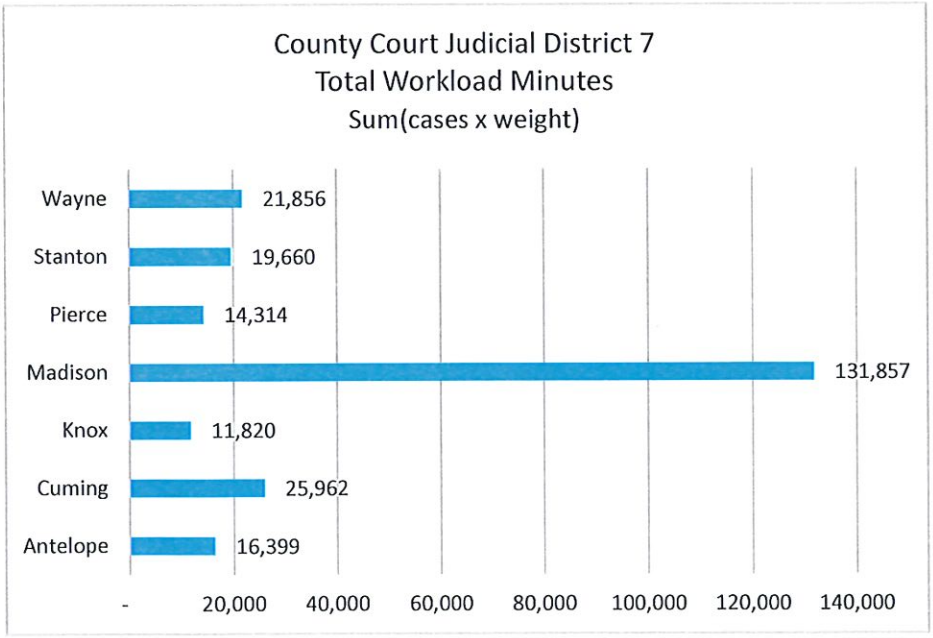


Primary Counties Served by 7th District Judges

Long
Cuming
Stanton
Madison (33.3%)

Stoffer
Pierce
Wayne
Madison (33.3%)

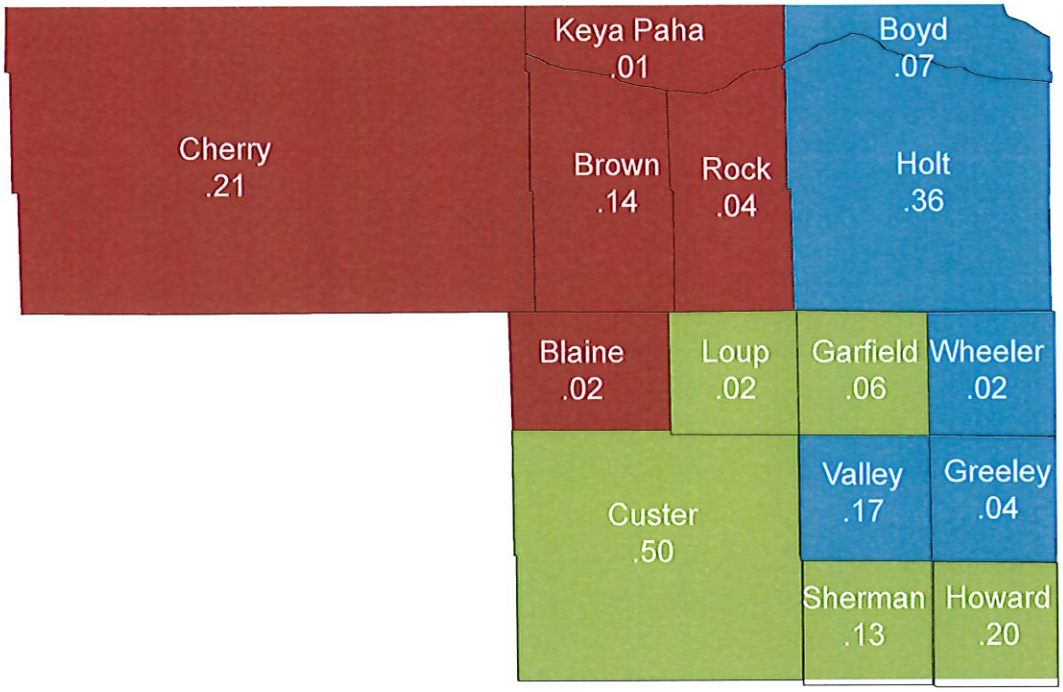
Taylor
Antelope
Knox
Madison (33.3%)



Weighted Caseload Report
8th Judicial District - County Court

County court need for judges: 2.00
Current number of judges: 3
Workload per judge: 0.67

Predicted judicial resources need by county

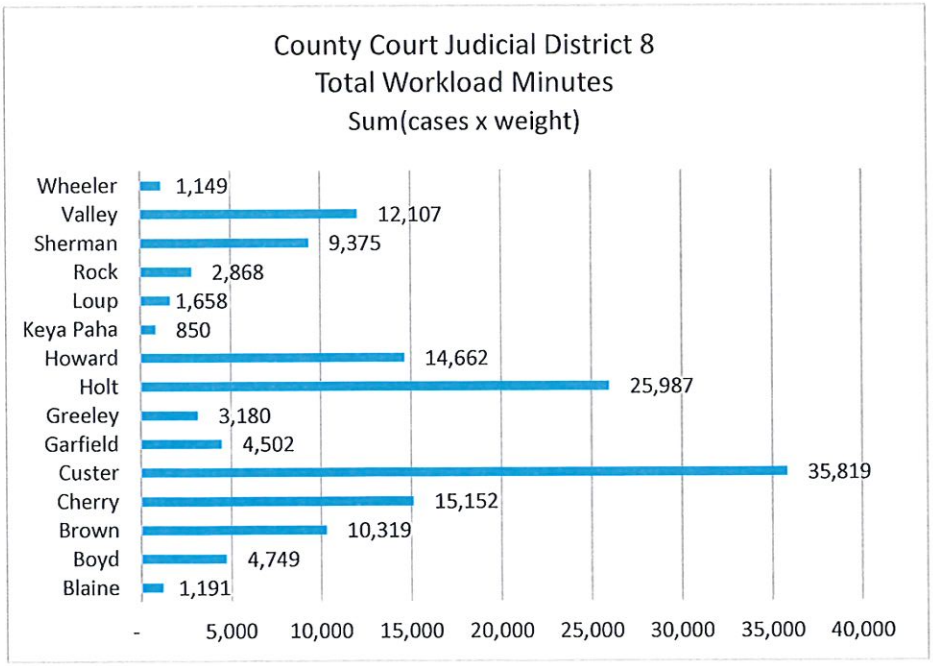


Primary Counties Served by 8th District Judges

Burdick
Boyd
Holt
Wheeler
Greeley
Valley

Orr
Cherry
Keya Paha
Brown
Rock
Blaine
Loup

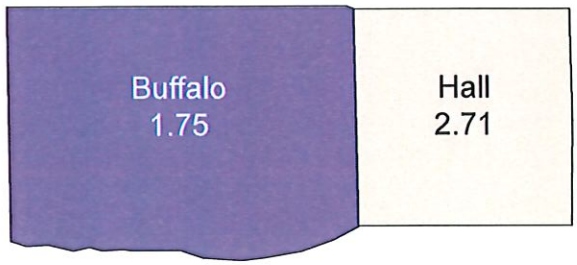
Schendt
Custer
Garfield
Howard
Sherman
Loup



Weighted Caseload Report
9th Judicial District - County Court

County court need for judges: 4.47
Current number of judges: 4
Workload per judge: 1.12

Predicted judicial resources need by county



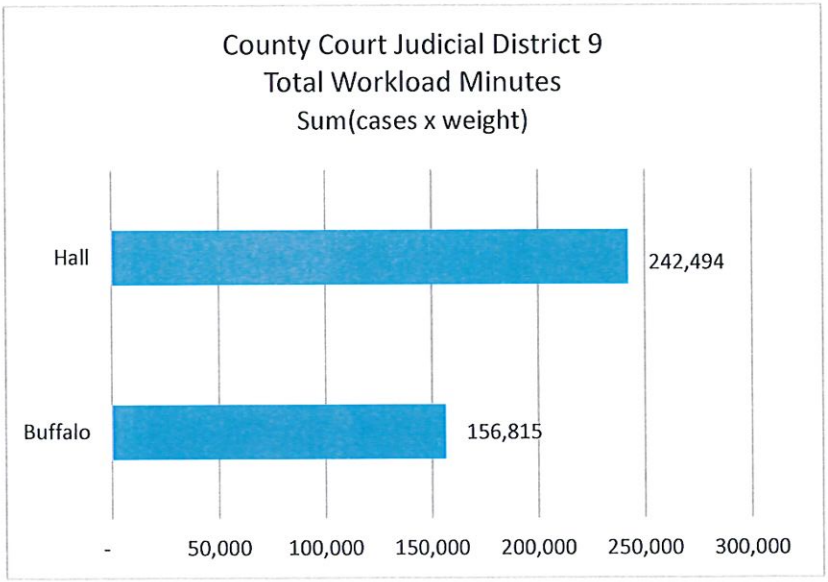
Primary Counties Served by 9th District Judges

Jorgensen
Buffalo

Rademacher
Buffalo
Hall one day per week

Corey III
Hall

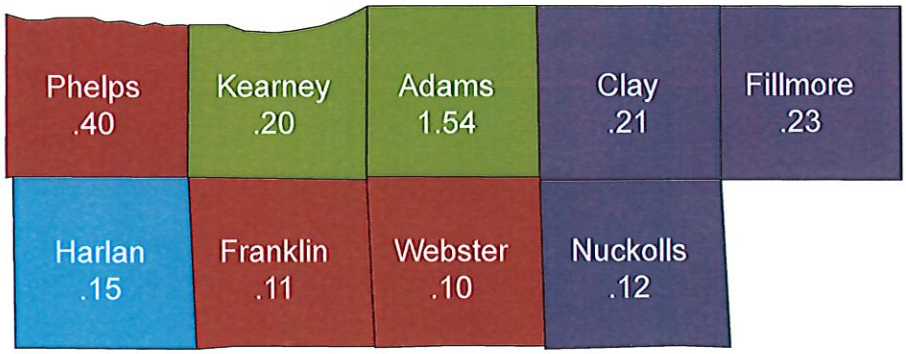
Wetzel
Hall



Weighted Caseload Report
10th Judicial District - County Court

County court need for judges: 3.05
Current number of judges: 3
Workload per judge: 1.02

Predicted judicial resources need by county

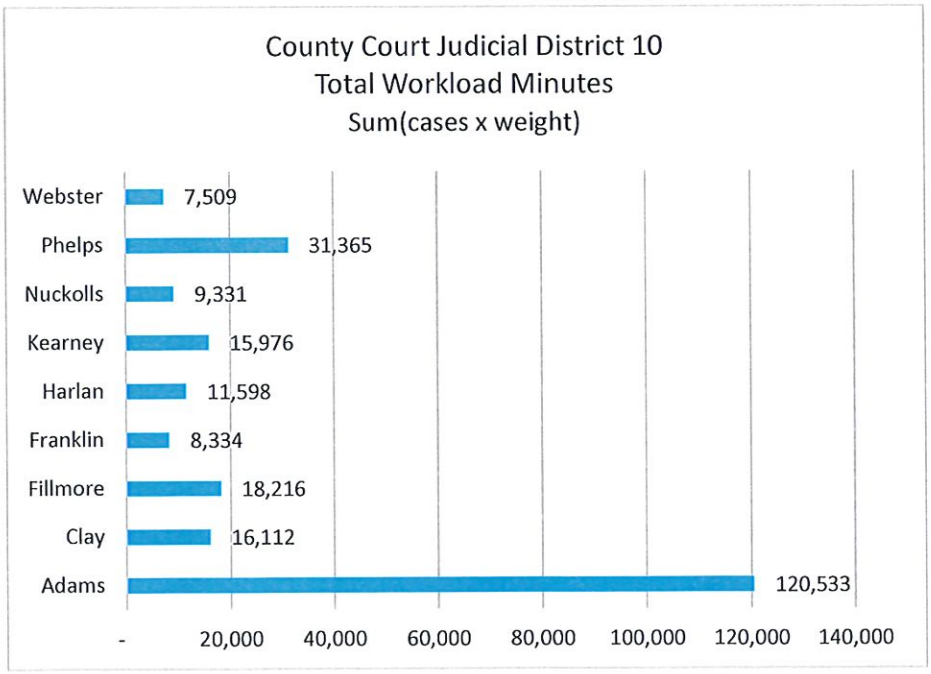


Primary Counties Served by 10th District Judges

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%)

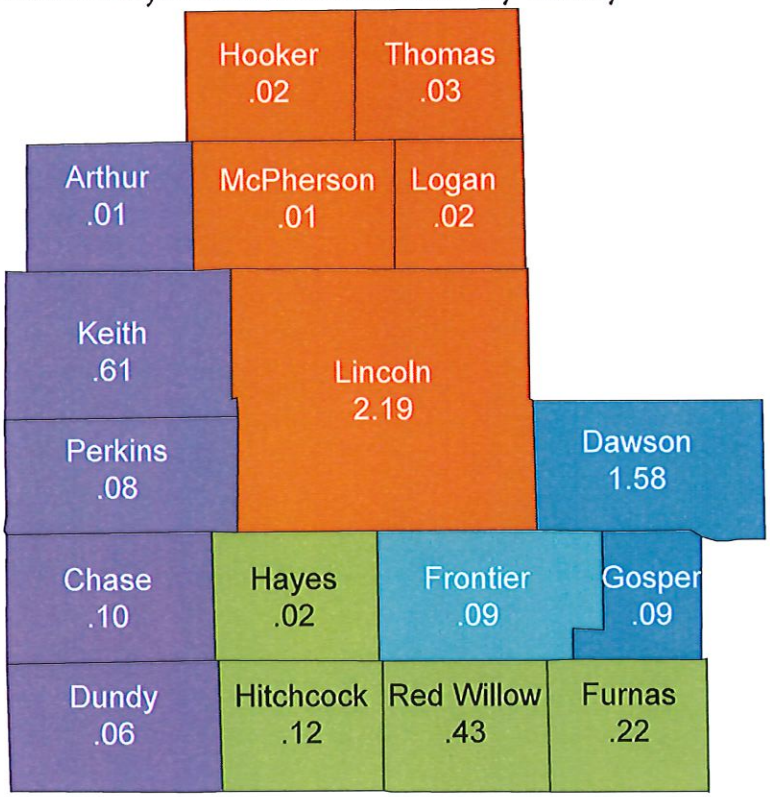
Burns
Adams (38%)
Clay (90%)
Fillmore (90%)
Nuckolls (86%)



Weighted Caseload Report
11th Judicial District - County Court

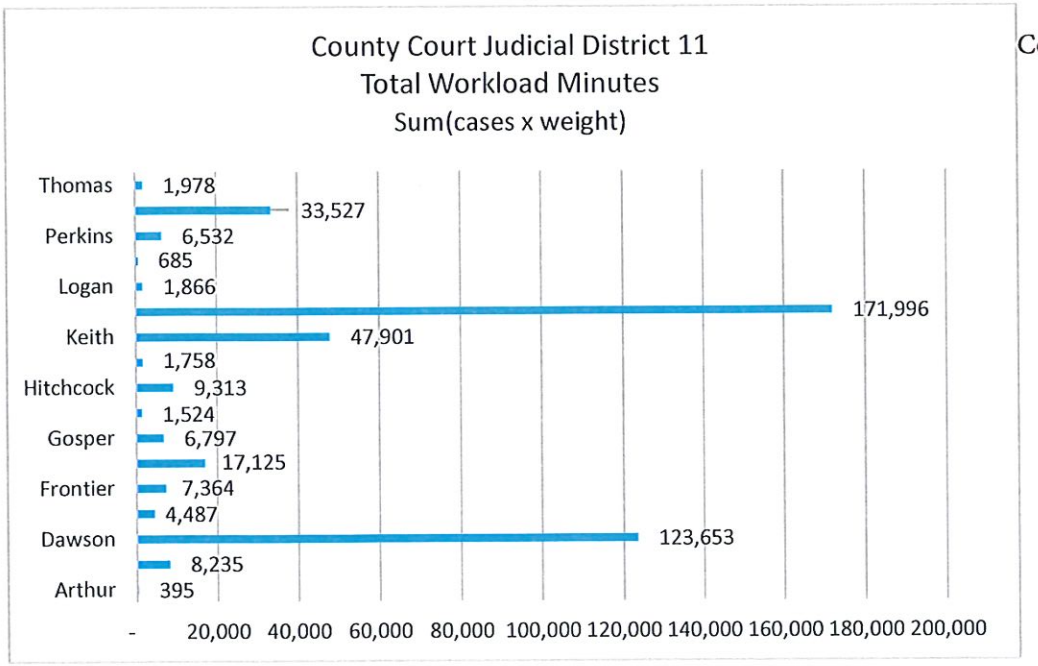
County court need for judges: 5.67
Current number of judges: 5
Workload per judge: 1.13

Predicted judicial resources need by county



Primary Counties Served by 11th District Judges

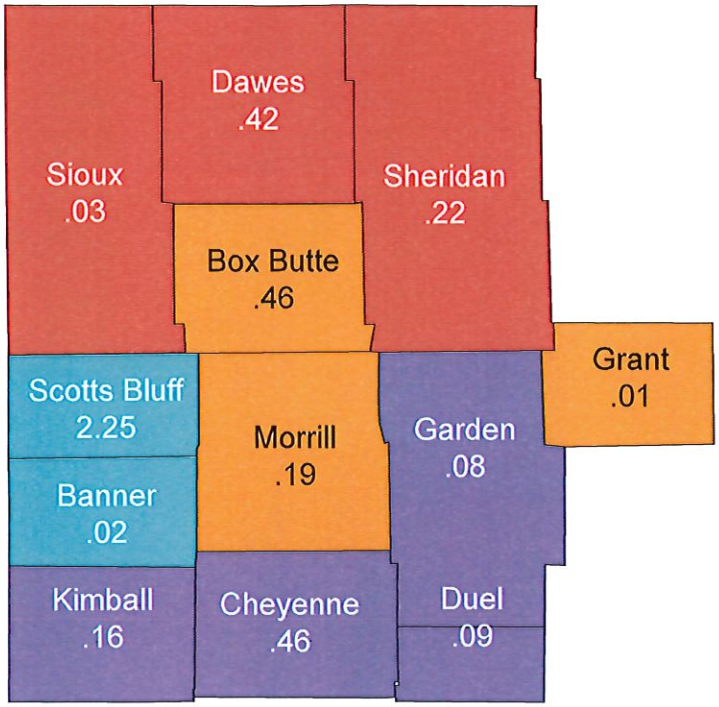
Wightman
Dawson
Gosper
Jay
Hooker
Lincoln
Logan
McPherson
Thomas
Conflict Cases in Keith
Paine
Furnas
Hayes
Hitchcock
Red Willow
Conflict Cases in Dawson
Steenberg
Arthur
Chase
Dundy
Keith
Perkins
Turnbull
Conflict Cases in Dawson
Frontier
Lincoln



Weighted Caseload Report
12th Judicial District - County Court

County court need for judges: 4.39
Current number of judges: 5
Workload per judge: 0.88

Predicted judicial resources need by county



Primary Counties Served by 12th District Judges

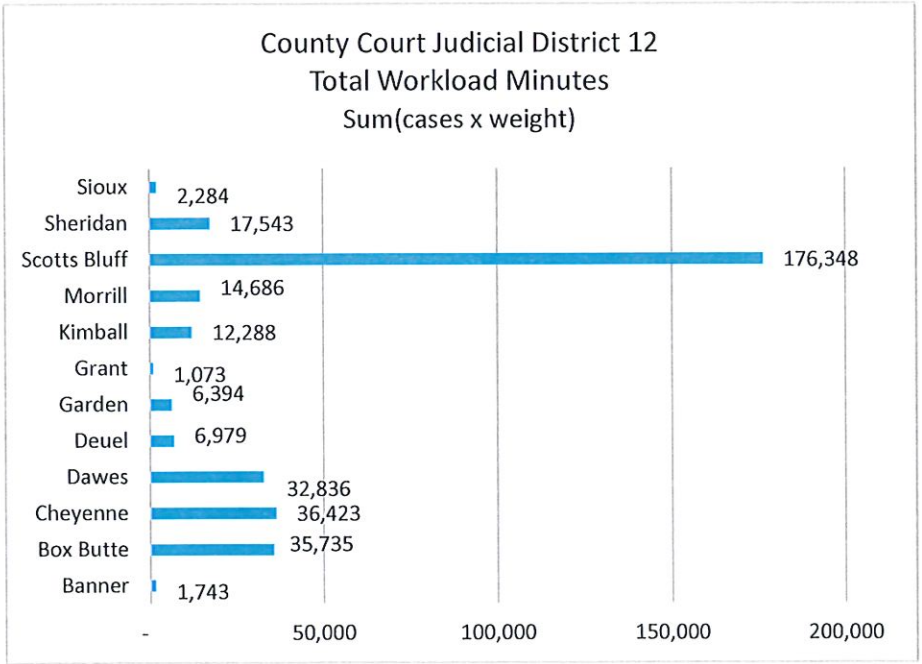
Harford
Dawes
Sioux
Sheridan

Wess
Box Butte
Grant
Morrill

Roland
Cheyenne
Deuel
Garden
Kimball

Worden
Banner
Scotts Bluff

Mickey
Banner
Scotts Bluff



Court Case Type Categories and Weights Appendix

District Court Case Types	2020 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	2020 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	2020 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

Nebraska Judicial Branch

Weighted Caseload Report

District Courts

Reporting Period
Fiscal Year 2020

July 1, 2019 to
June 30, 2020

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2nd Judicial District....page 6

3rd Judicial District....page 7

4th Judicial District....page 8

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9th Judicial District....page 13

10th Judicial District....page 14

11th Judicial District....page 15

12th Judicial District....page 16

Court Case Type Categories and Weights Appendix....page 17

Nebraska District Courts Weighted Caseload Report

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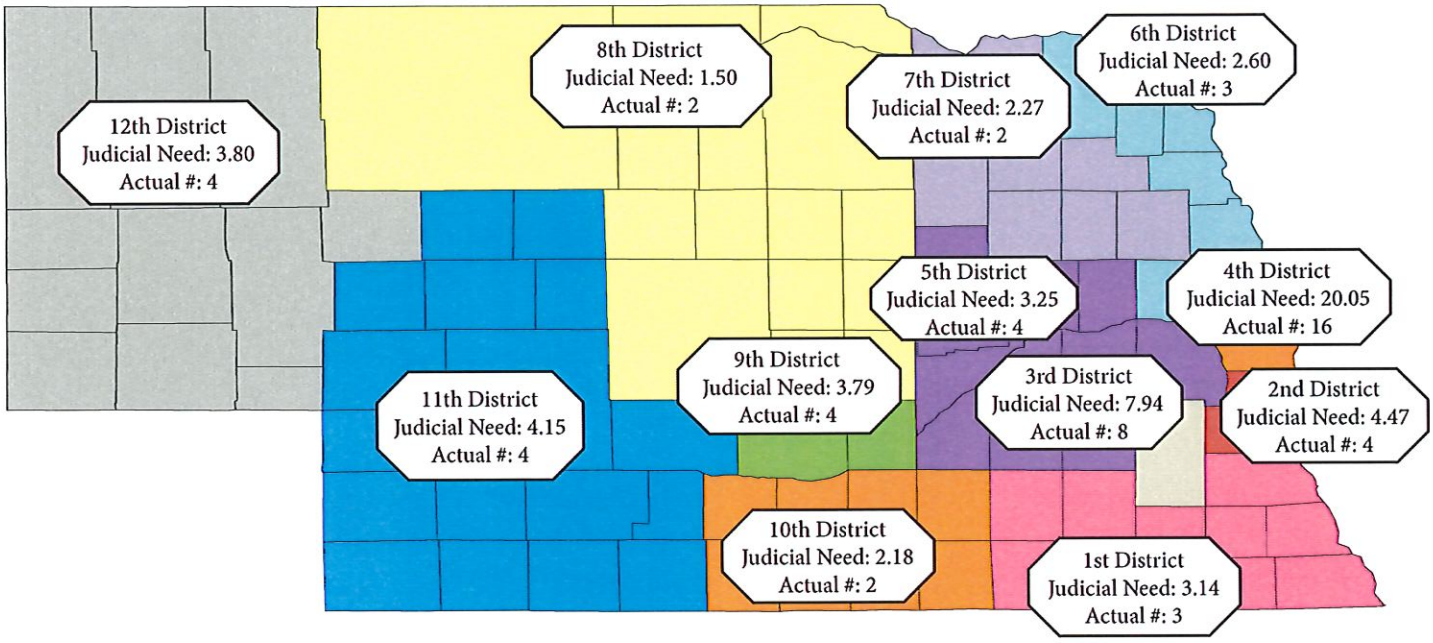
Nebraska District Court Judicial Needs

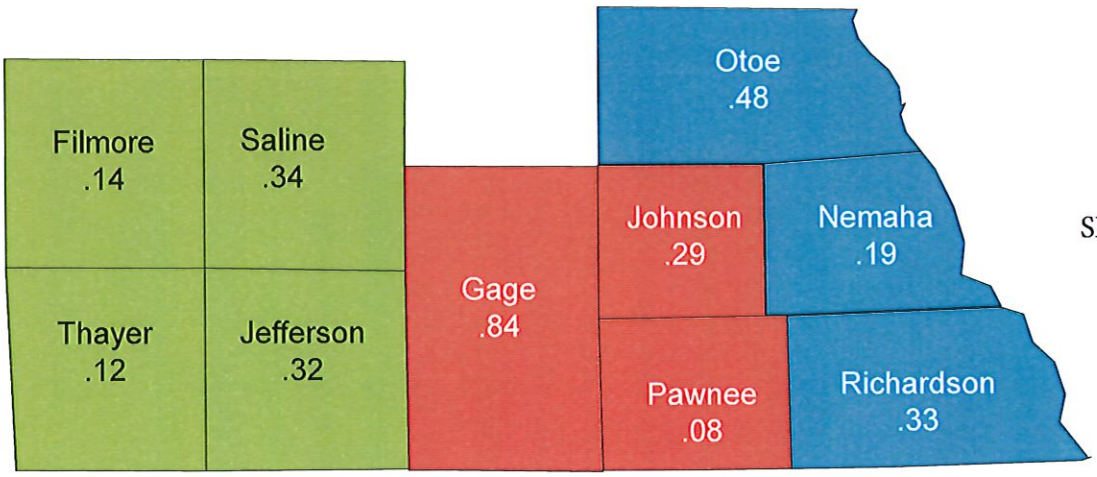
Fiscal Year 2020 (July 1, 2019 - June 30, 2020)



Weighted Caseload Report
1st Judicial District - District Court

District court need for judges: 3.14
Current number of judges: 3
Workload per judge: 1.05

Predicted judicial resources need by county

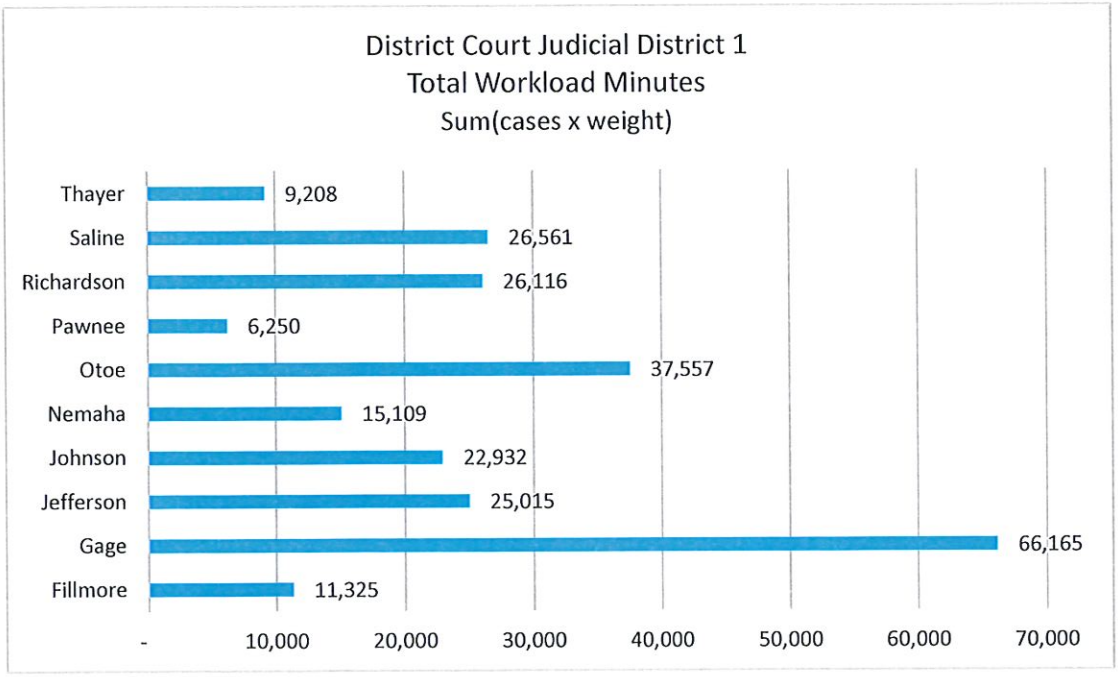


Judges Serving the 1st District District Court

Johnson
Saline
Jefferson
Fillmore
Thayer
Johnson (5%)
SE Nebraska Drug Court

Schreiner
Gage
Johnson (95%)
Pawnee
Nemaha (10%)

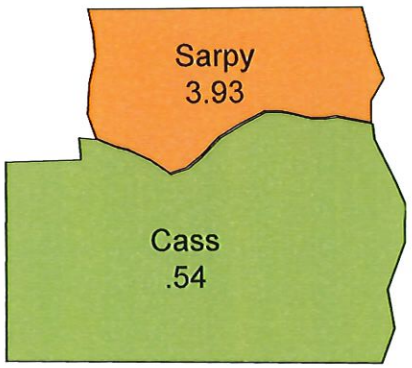
J. Smith
Otoe
Nemaha (90%)
Richardson
SE Nebraska Drug Court



Weighted Caseload Report
2nd Judicial District Court

District court need for judges: 4.47
Current number of judges: 4
Workload per judge: 1.12

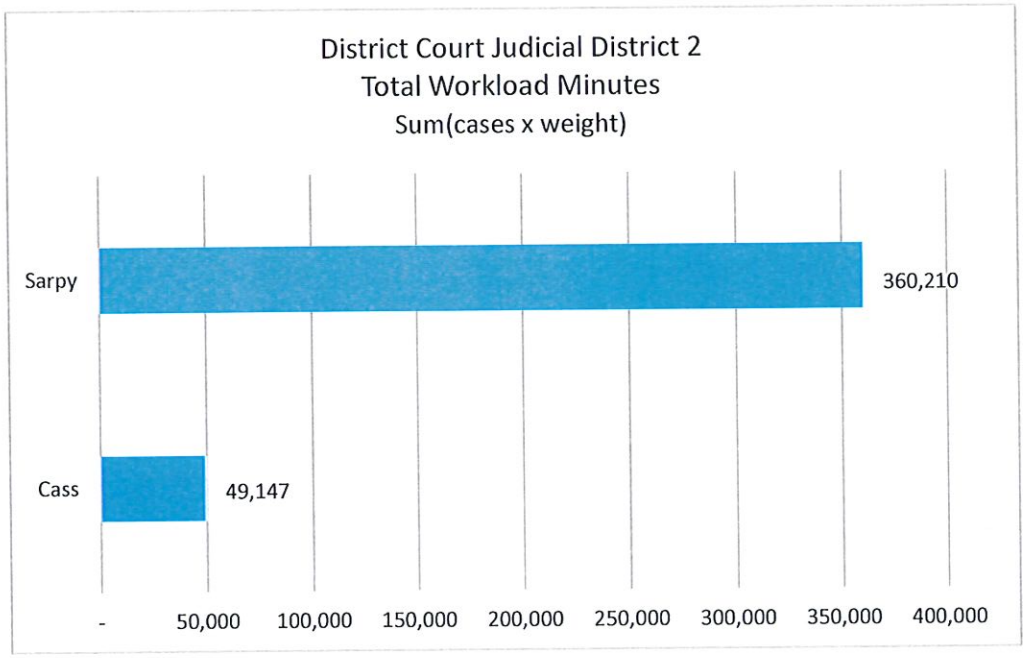
Predicted judicial resources need by county



Judges Serving the 2nd District

District Court

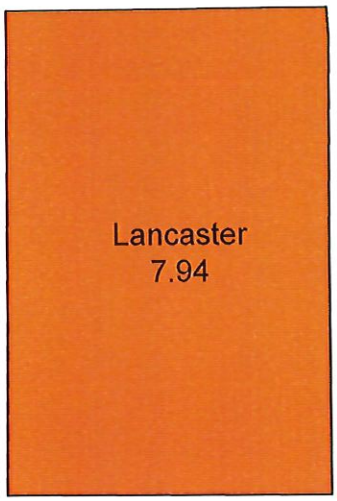
Martinez
Sarpy
Thompson
Sarpy
Cox
Sarpy
M. Smith
Cass
Sarpy



Weighted Caseload Report
3rd Judicial District - District Court

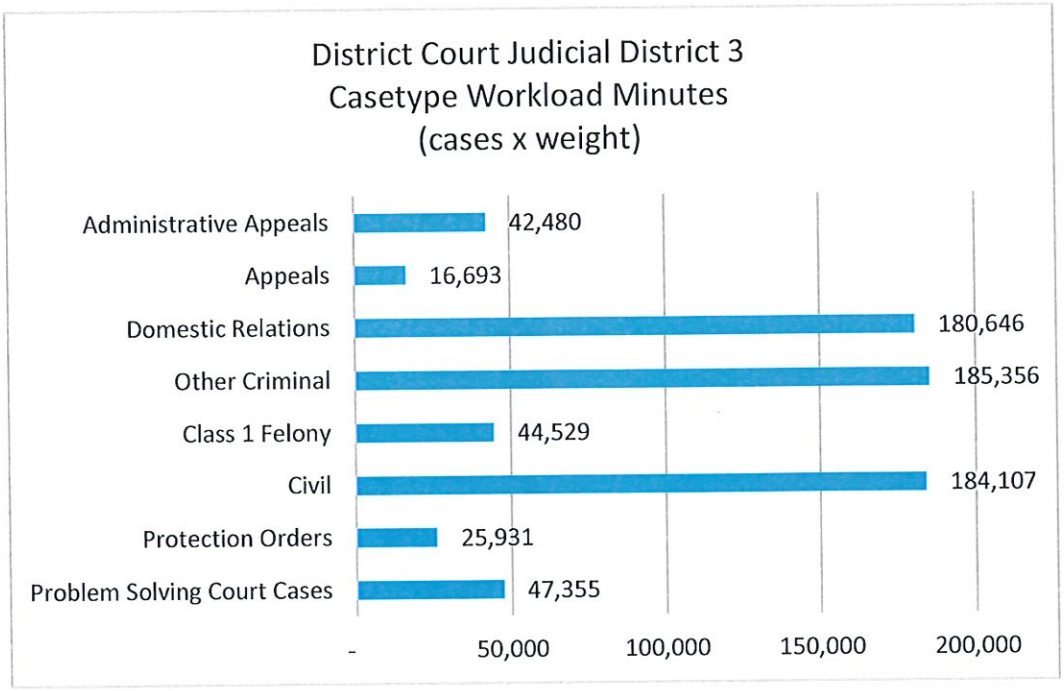
District court need for judges: 7.94
Current number of judges: 8
Workload per judge: 0.99

Predicted judicial resources need



Judges Serving the 3rd District District Court

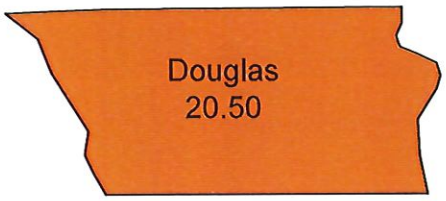
Vacant
Ideus
Jacobsen
Maret
McManaman
Nelson
Otte
Strong



Weighted Caseload Report
4th Judicial District - District Court

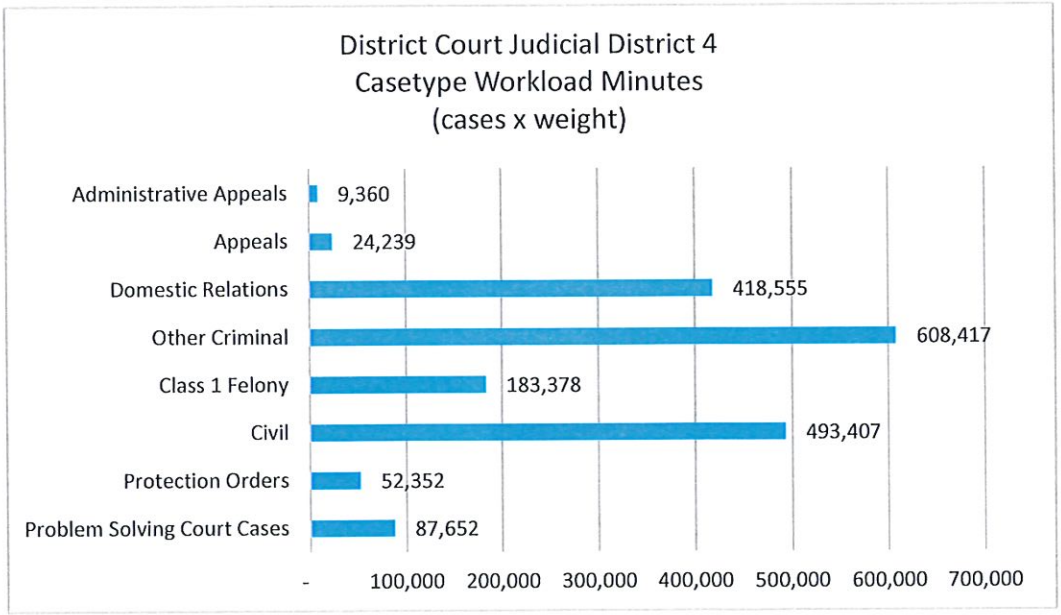
District court need for judges: 20.50
Current number of judges: 16
Workload per judge: 1.28

Predicted judicial resources need



Judges Serving the 4th District District Court

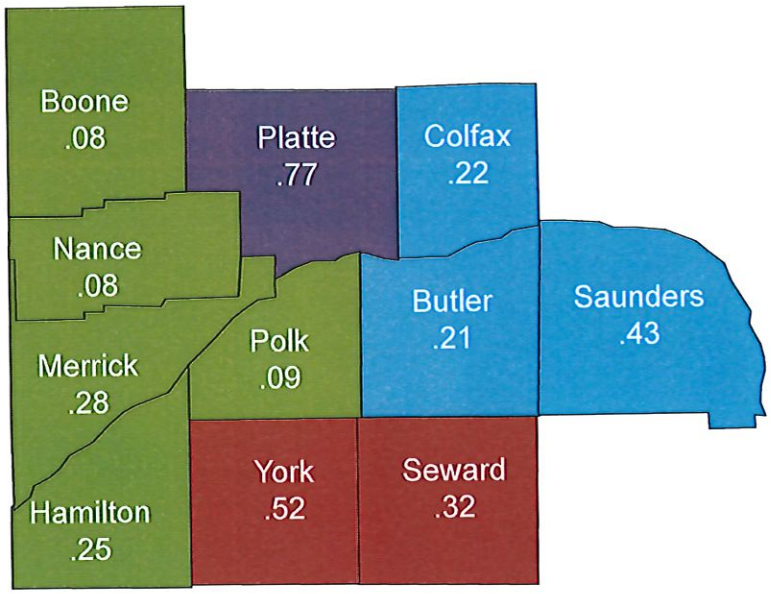
Bataillon
Bowie
Burns
Coffey
Derr
Dougherty
Gleason
Masteller
Miller Pankonin
Otepka
Polk
Randall
Retelsdorf
Schatz
Stratman
Wheelock



Weighted Caseload Report
5th Judicial District - District Court

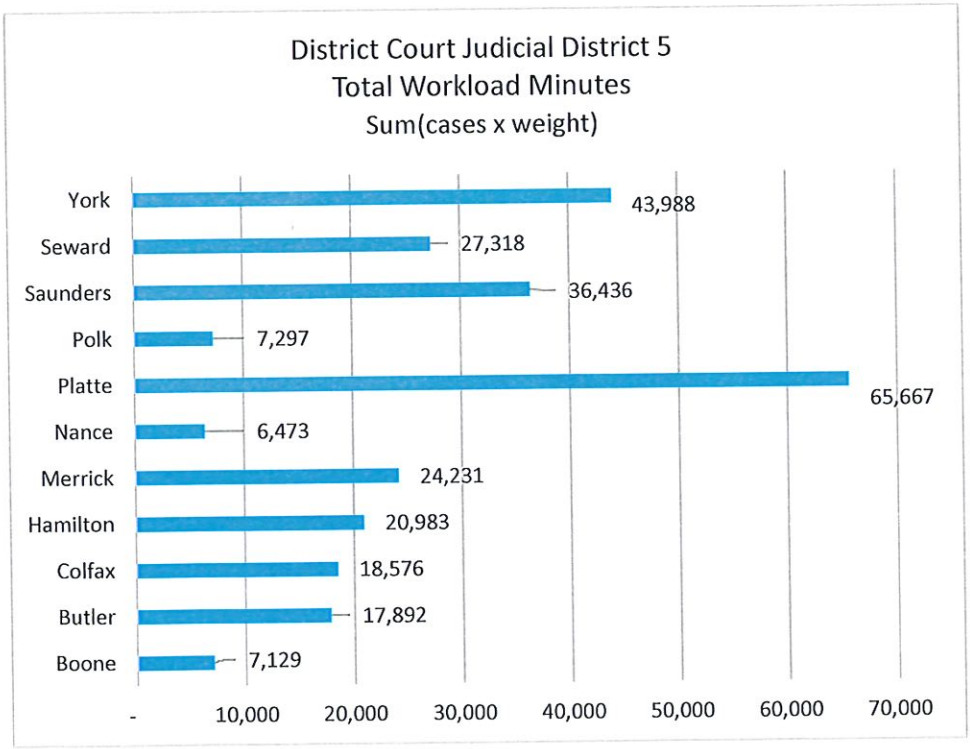
District court need for judges: 3.25
Current number of judges: 4
Workload per judge: 0.81

Predicted judicial resources need by county



Judges Serving the 5th District District Court

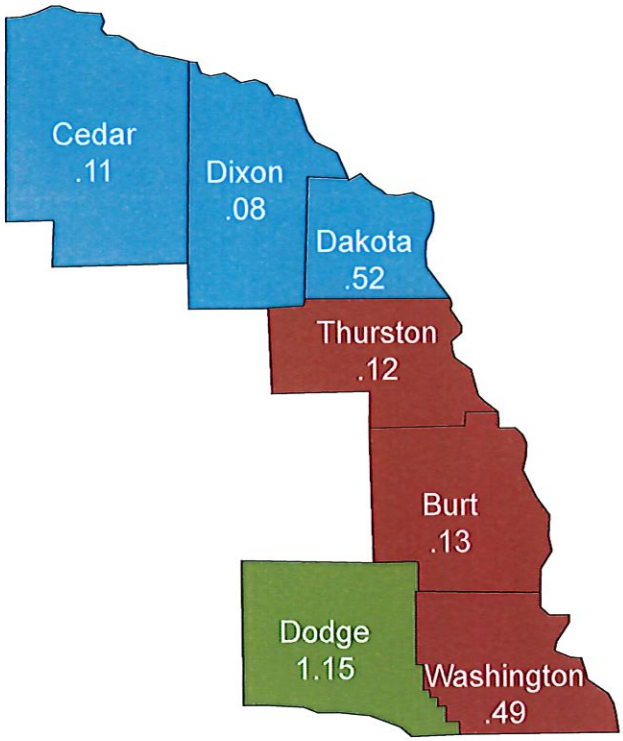
Marroquin
Butler
Colfax
Saunders
Stecker
Seward
York
Daugherty
Boone
Hamilton
Merrick
Nance
Polk
Steinke
Platte



Weighted Caseload Report
6th Judicial District - District Court

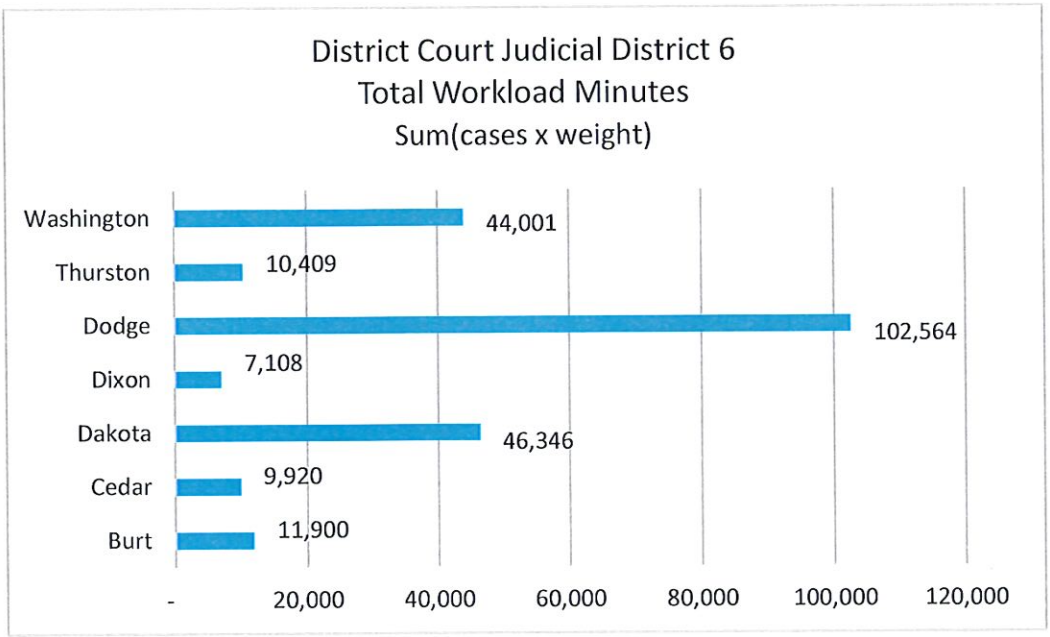
District court need for judges: 2.60
Current number of judges: 3
Workload per judge: 0.87

Predicted judicial resources need by county



Judges Serving the 6th District District Court

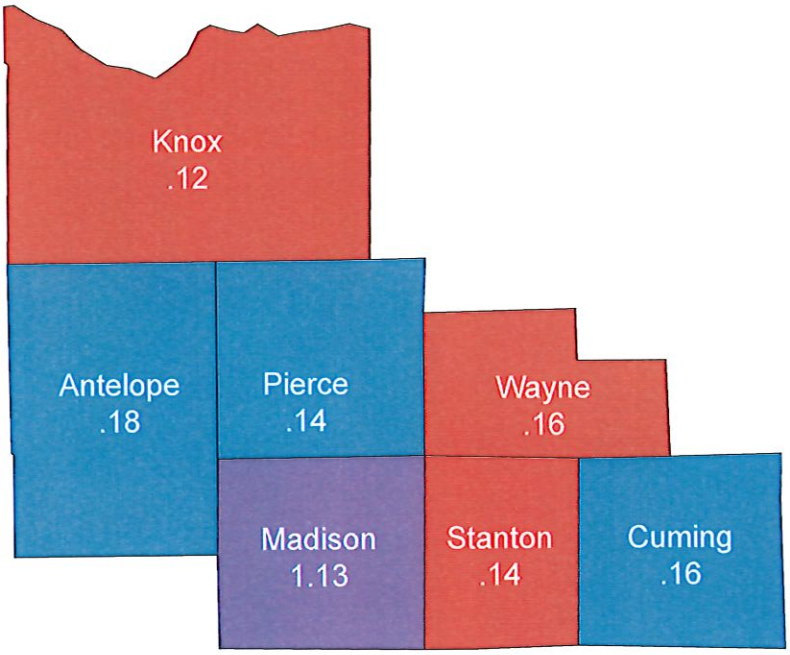
Hall
Dodge
Samson
Burt
Thurston
Washington
Meismer
Cedar
Dakota
Dixon



Weighted Caseload Report
7th Judicial District - District Court

District court need for judges: 2.27
Current number of judges: 2
Workload per judge: 1.14

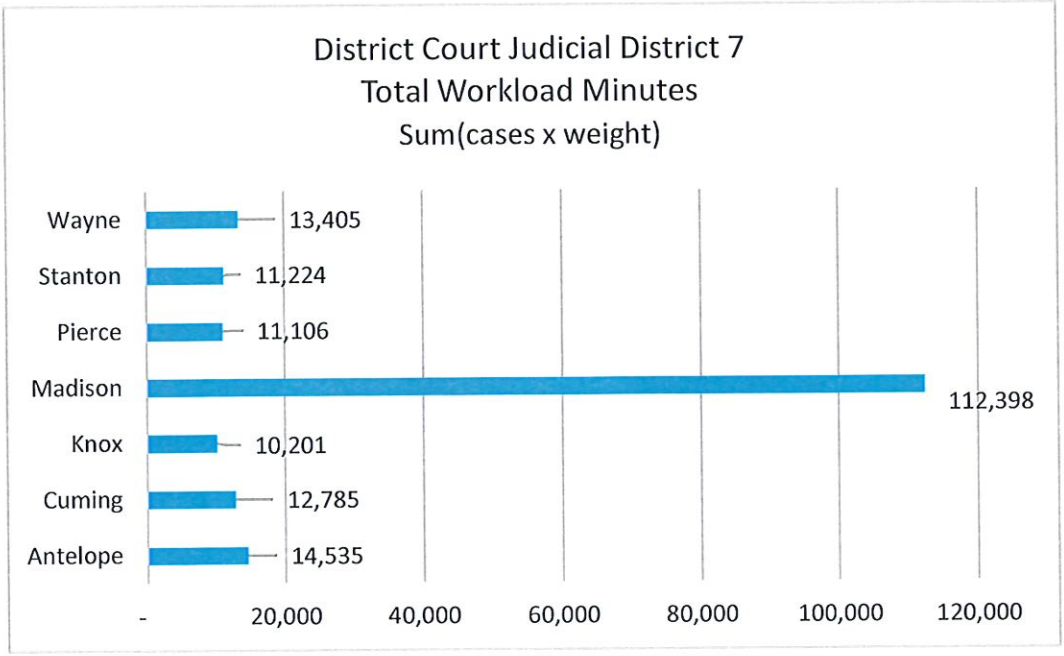
Predicted judicial resources need by county



Judges Serving the 7th District District Court

Johnson
Antelope
Knox
Stanton
Madison (50%)
SE Nebraska Drug Court

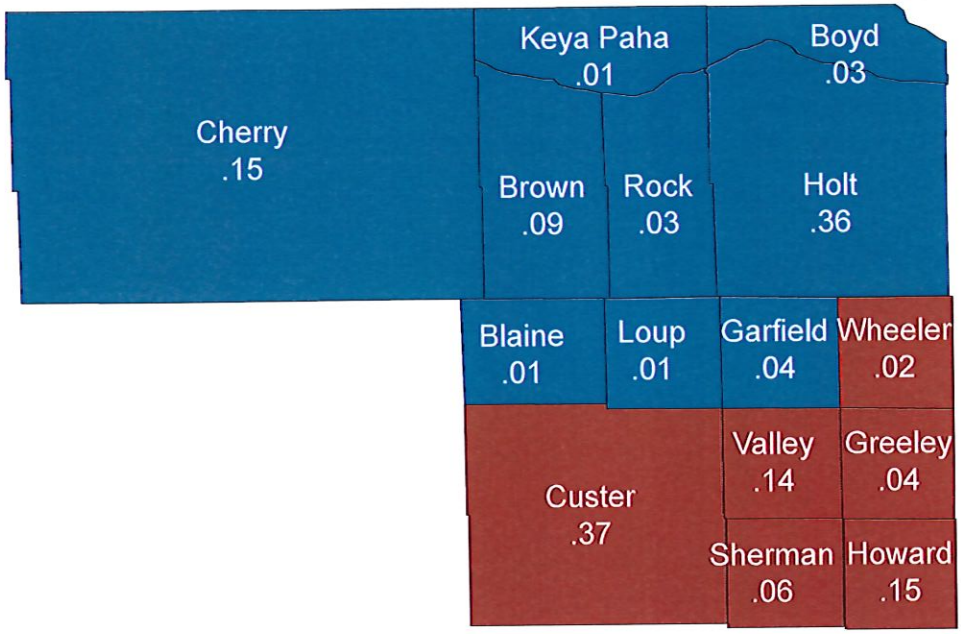
Kube
Cuming
Pierce
Madison (50%)
Wayne



Weighted Caseload Report
8th Judicial District - District Court

District court need for judges: 1.50
Current number of judges: 2
Workload per judge: 0.75

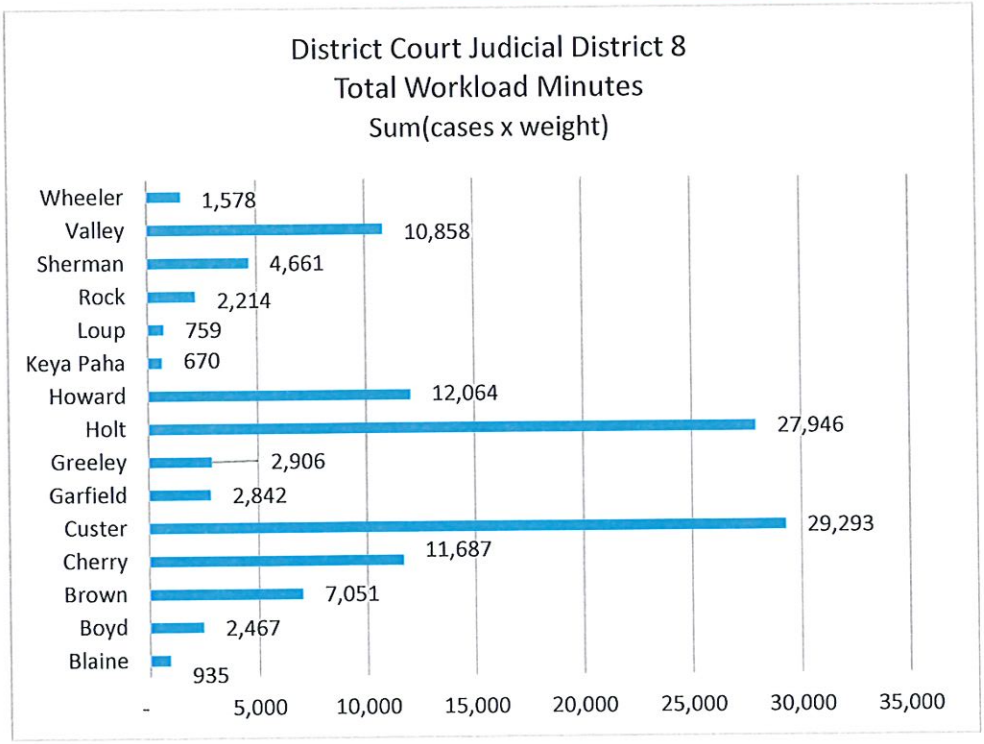
Predicted judicial resources need by county



Judges Serving the 8th District District Court

Kozisek
Blaine
Boyd
Brown
Cherry
Garfield
Holt
Keya Paha
Loup
Rock

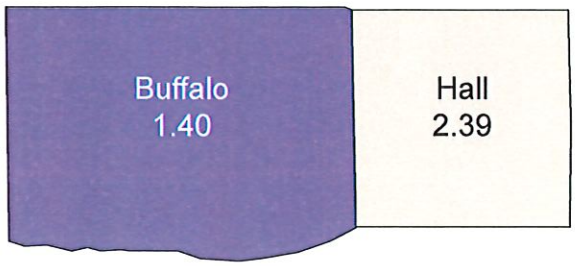
Noakes
Custer
Greeley
Howard
Sherman
Valley
Wheeler



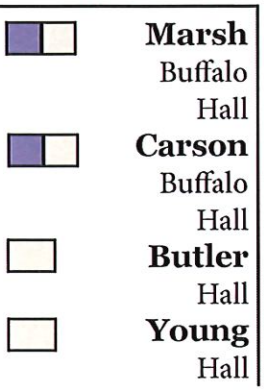
Weighted Caseload Report
9th Judicial District - District Court

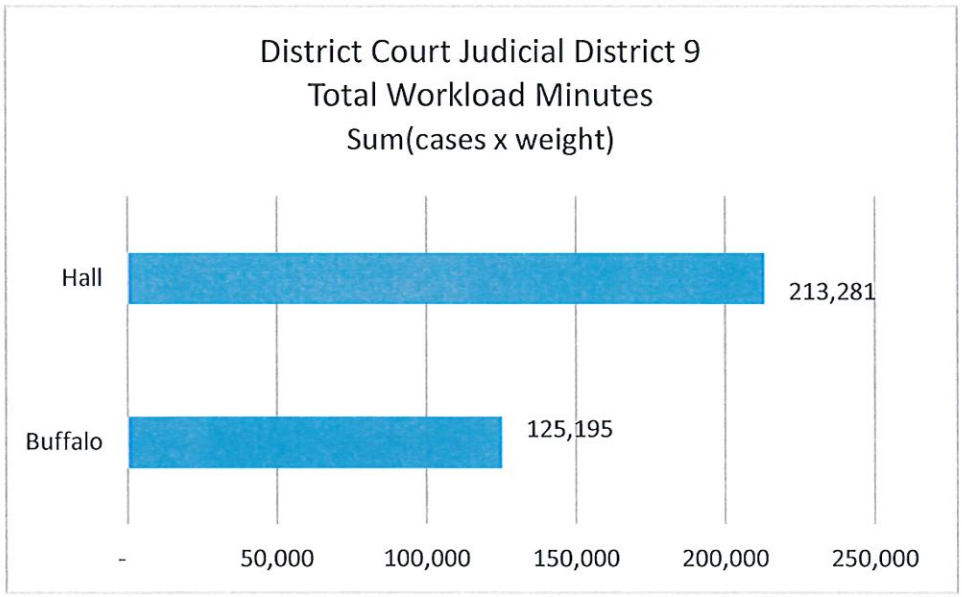
District court need for judges: 3.79
Current number of judges: 4
Workload per judge: 0.95

Predicted judicial resources need by county



Judges Serving the 9th District District Court

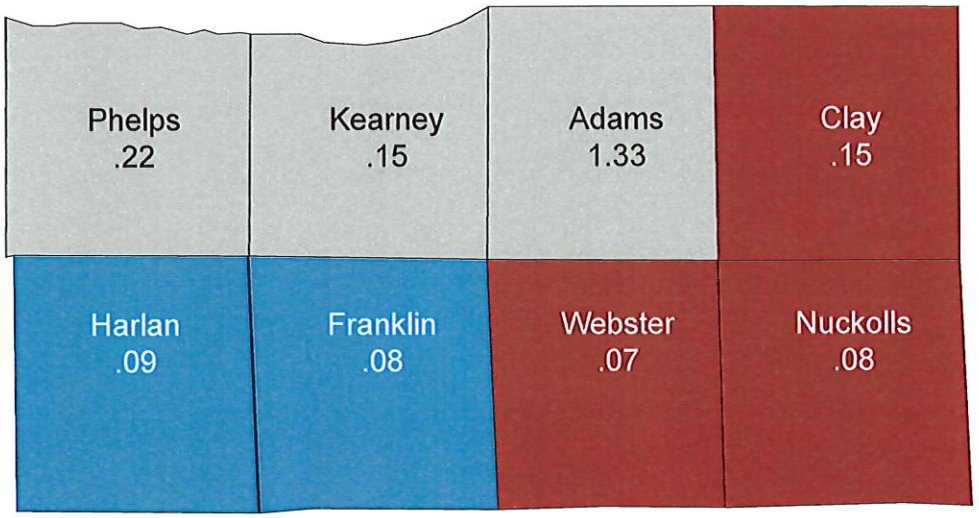




Weighted Caseload Report
10th Judicial District - District Court

District court need for judges: 2.18
Current number of judges: 2
Workload per judge: 1.09

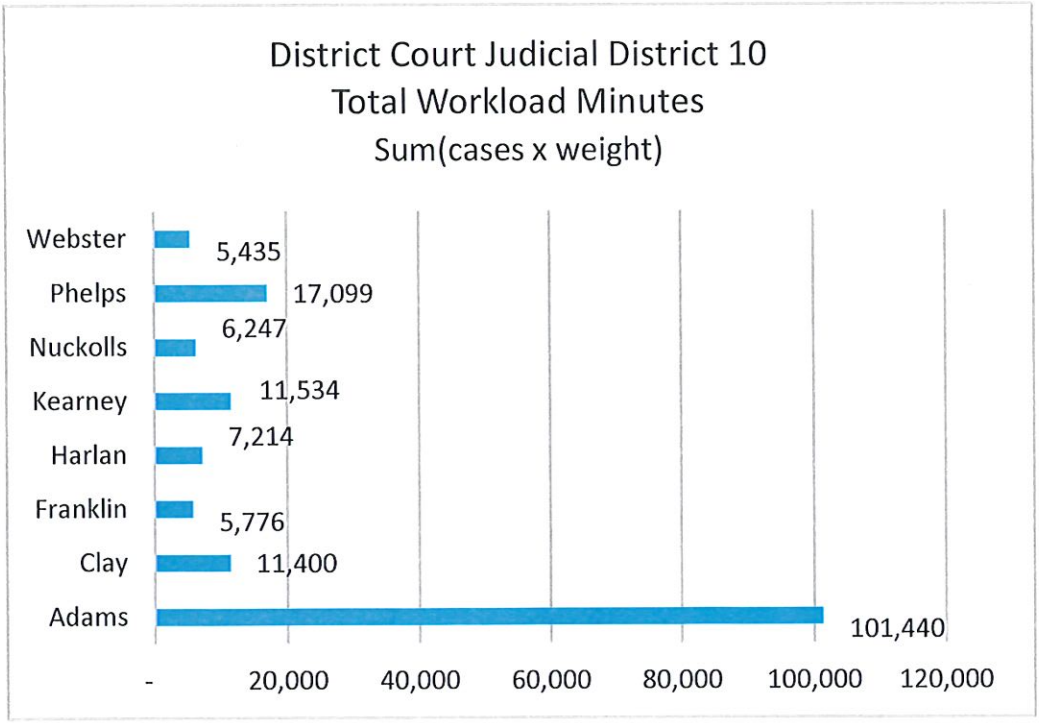
Predicted judicial resources need by county



Judges Serving the 10th District District Court

Harder
Harlan
Franklin
Adams (50%)
Kearney(50%)
Phelps (50%)
Webster (50%)

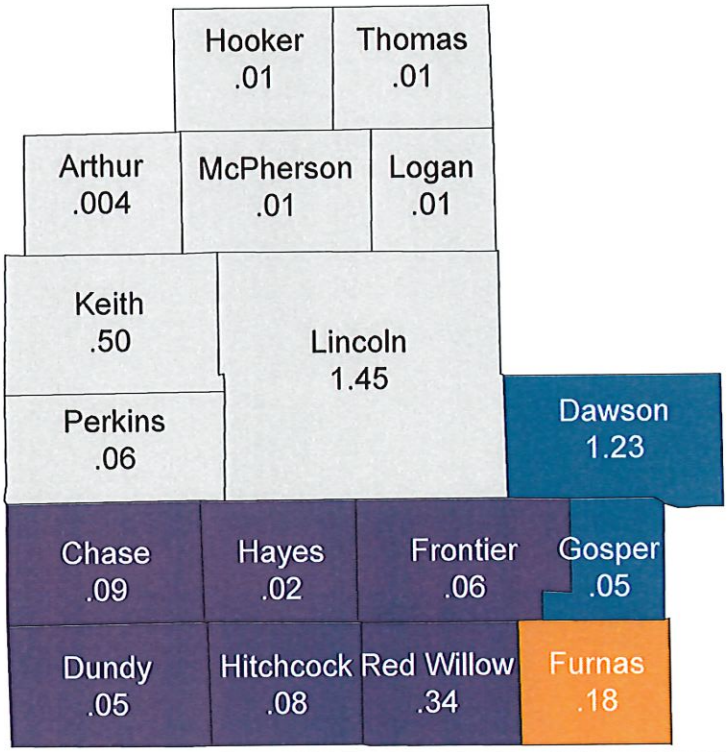
Illingworth
Clay
Nuckolls
Webster (50%)
Adams (50%)
Kearney (50%)
Phelps (50%)



Weighted Caseload Report
11th Judicial District - District Court

District court need for judges: 4.15
Current number of judges: 4
Workload per judge: 1.04

Predicted judicial resources need by county



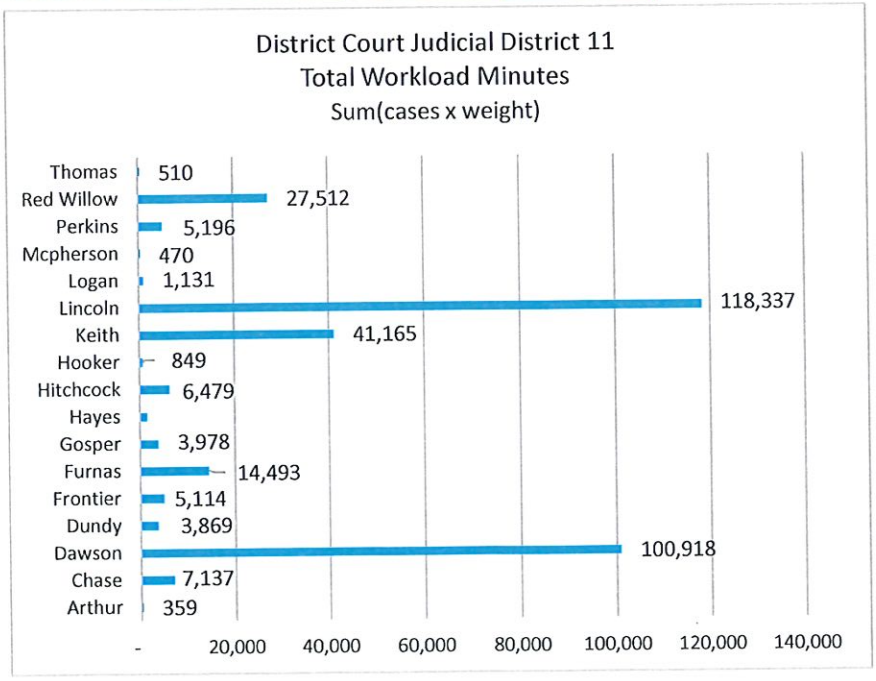
Judges Serving the 11th District District Court

Doyle
Dawson
Furnas (25%)
Gosper

Birch
Arthur (50%)
Hooker (50%)
Keith (50%)
Lincoln (50%)
Logan (50%)
McPherson (50%)
Perkins (50%)
Thomas (50%)

Piccolo
Arthur (50%)
Hooker (50%)
Keith (50%)
Lincoln (50%)
Logan (50%)
McPherson (50%)
Perkins (50%)
Thomas (50%)

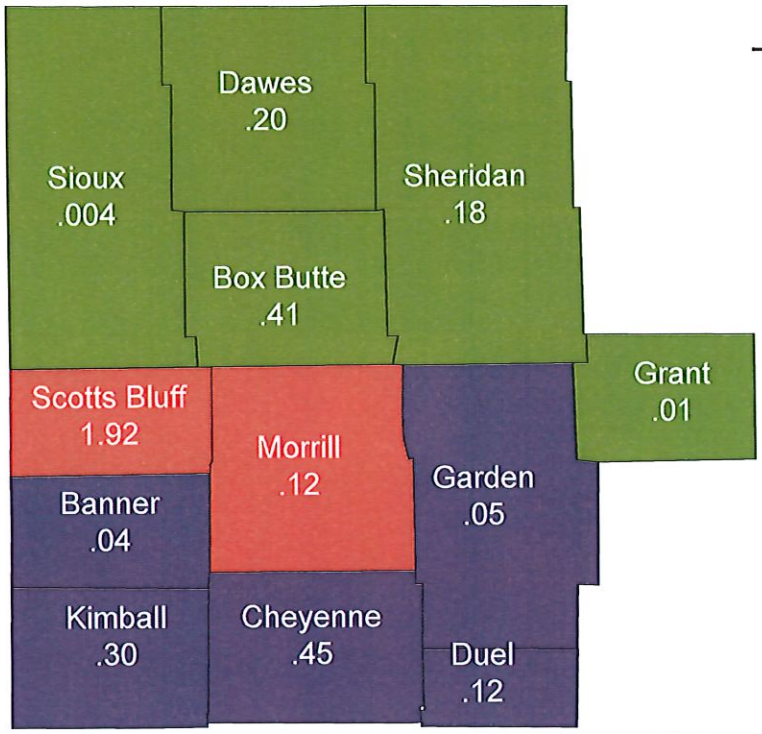
Urbom
Chase
Dundy
Frontier
Furnas (75%)
Hayes
Hitchock
Red Willow



Weighted Caseload Report
12th Judicial District - District Court

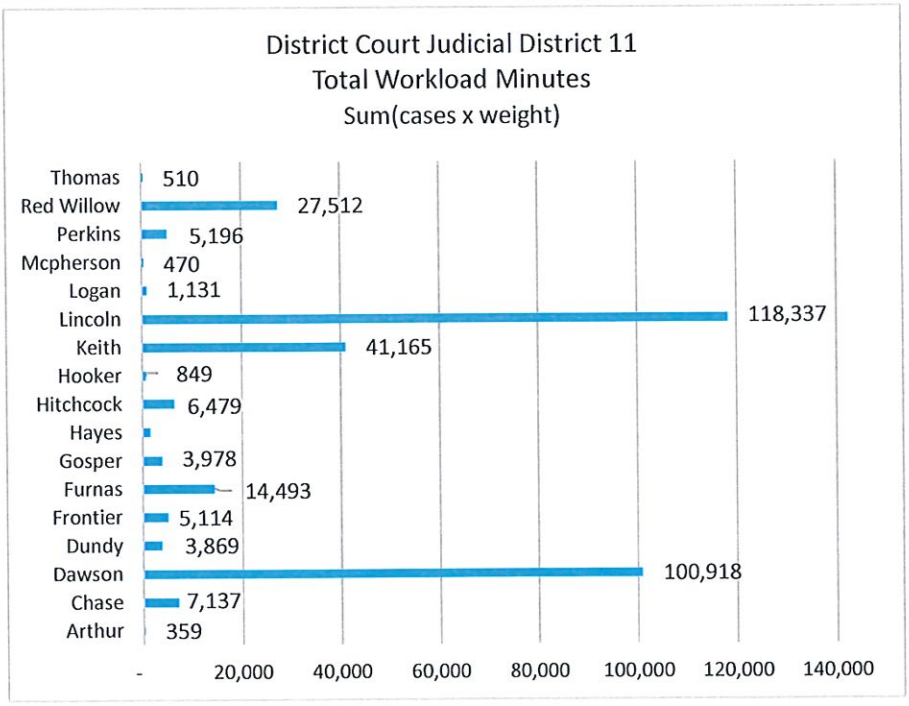
District court need for judges: 3.80
Current number of judges: 4
Workload per judge: 0.95

Predicted judicial resources need by county



Judges Serving the 12th District District Court

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



Court Case Type Categories and Weights Appendix

District Court Case Types	2020 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	2020 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	2020 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

Nebraska Judicial Branch

Weighted Caseload Report

Separate Juvenile Courts

Reporting Period
Fiscal Year 2020

July 1, 2019 to
June 30, 2020

Nebraska County Courts Weighted Caseload Report

The Weighted Caseload Reports contain standardized determinations of judicial resource need statistics across Nebraska's 93 District Courts, grouped into twelve Judicial Districts. The judiciary of Nebraska assesses the need for judicial positions using a weighted caseload method based on a 3-year average of cases filed. Reports are produced for County, District and Separate Juvenile Courts.

The Nebraska Administrative Office of the Courts and Probation (AOCP) updated these statistics by conducting a Weighted Caseload Study (2019 – 2020), under the direction and leadership of the National Center for State Court (NCSC) and Nebraska Supreme Court. The Judicial Needs Assessment Committee (JNAC) consisting of county, district and separate juvenile court judges, court administrators, and technical staff, provided oversight and guidance on matters of policy throughout project.

The role of the JNAC was to advise the NCSC on the selection of case types and the time study design, as well as recommend policy decisions regarding the amount of time allocated to case related and non-case-related work and review the results of the analysis. The committee also reviewed the preliminary case weights and made recommendations on the methodology to be used to count cases in a consistent manner for all courts. Case types, court practices and available JUSTICE[1] data were analyzed. The intended outcome was to match the weights determined in the Weighted Caseload Study to a consistently compiled count of cases to arrive at the most precise and equitable judicial need value possible.

For a full description of the methodology see Nebraska Judicial Workload Assessment Final Report (October 2020) on the Nebraska Supreme Court website

No quantitative judgeship assessment method, including a weighted caseload system, will determine the exact number of judges required within a judicial district. But quantitative methods, such as weighted caseload can approximate the need for judgeships and provide a point of reference or standard for comparing relative need among judicial districts. Other measures, both qualitative and quantitative, may be used in conjunction with the weighted caseload standard calculation to support the assessment of judicial need. Other useful measures may include analyses of budget constraints, population trends, and other factors that may differentially affect the need for judges across districts.

[1]JUSTICE, Judicial User System to Improve Court Efficiency, is the Nebraska trial court's statewide electronic case and financial management system.

Corey R. Steel | Nebraska State Court Administrator
Nebraska Supreme Court
Administrative Office of the Courts & Probation

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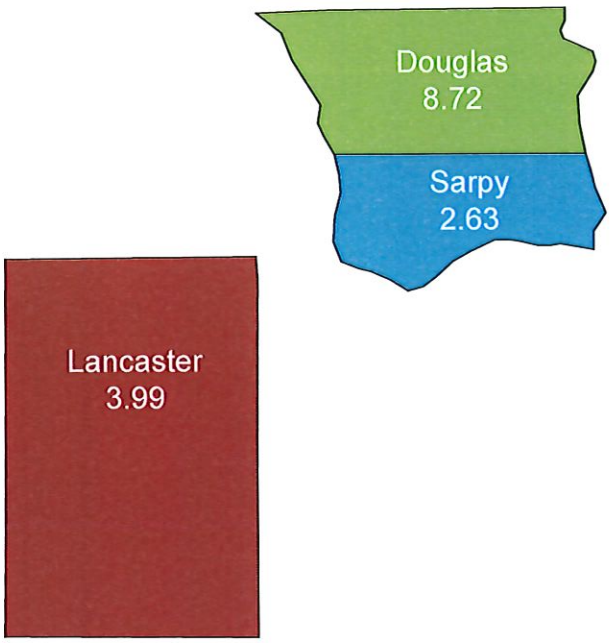
www.supremecourt.ne.gov

Weighted Caseload Report
Separate Juvenile Courts

Judicial Need Metrics	Sarpy	Lancaster	Douglas	Total
Total need for judges	2.63	3.99	8.72	15.35
Current number of judges	2	4	6	12
Workload per judge	1.32	1.00	1.45	1.28

Predicted judicial resources need by county

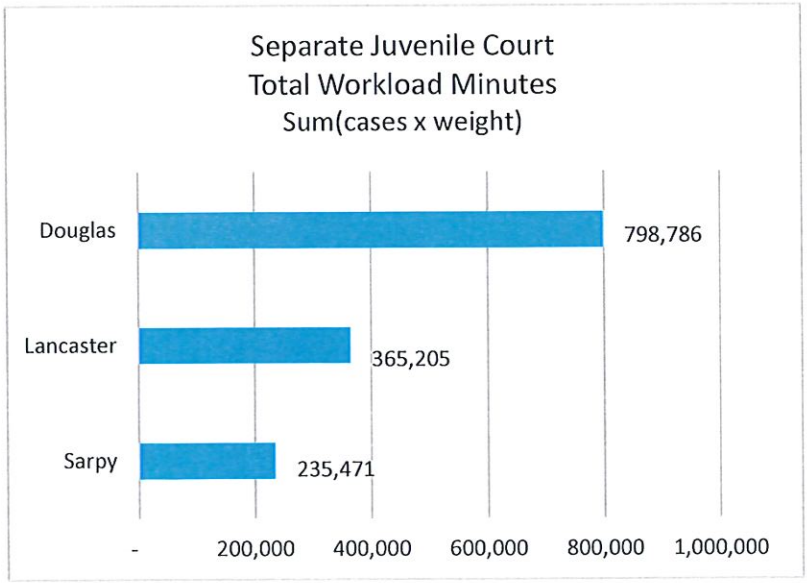


Judges of the Separate Juvenile Courts

Sarpy County - 2nd District
Gendler (Cass County Juvenile Cases)
O'Neal (Otoe County Juvenile Cases)

Lancaster County - 3rd District
Heideman
Porter
Ryder
Vacant

Douglas County - 4th District
Brown
Daniels
Kahler
Kelly
Schuchman
Stevens



July 1, 2019 - June 30, 2020

Court Case Type Categories and Weights Appendix

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Juvenile: Interstate Compact Hearings/Filings	2
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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

Nebraska Judicial Workload Assessment

Final Report

October 2020

Brian J. Ostrom, Ph.D.
Lydia E. Hamblin, Ph.D.
John W. Douglas

Research Division
National Center for State Courts

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ACKNOWLEDGEMENTS

The authors gratefully acknowledge the invaluable contributions of the District Court, County Court, and Separate Juvenile Court judges of Nebraska to this workload assessment. An undertaking of this magnitude would not have been possible without these judges' dedicated participation in the time study, sufficiency of time survey, and valuable feedback. We extend a special note of thanks to the members of the Judicial Needs Assessment Committee for their unflagging support of the project.

Judicial Needs Assessment Committee (JNAC)

Hon. Stephanie Stacy, Nebraska Supreme Court (Chair)
Hon. Matthew Acton, County Court, 3rd Judicial District
Eric Asboe, AOCP
Hon. Chad Brown, Separate Juvenile Court, 4th Judicial District
Hon. Kale Burdick, County Court, 8th Judicial District
Liz Neeley, NSBA
Hon. Jodi Nelson, District Court, 3rd Judicial District
Hon. Travis O'Gorman, District Court, 12th Judicial District
Hon. Anne Paine, County Court, 11th Judicial District
Hon. C Jo Petersen, County Court, 5th Judicial District
Hon. Linda Porter, Separate Juvenile Court, 3rd Judicial District
Amy Prenda, AOCP
Hon. John Samson, District Court, 6th Judicial District
Hon. Julie Smith, District Court, 1st Judicial District
Corey Steel, AOCP
Hon. Robert Steinke, District Court, 5th Judicial District
Hon. Shelly Stratman, District Court, 4th Judicial District
Jane Sutherland, AOCP
Hon. Donna Taylor, County Court, 7th Judicial District
Hon. Derek Vaughn, County Court, 4th Judicial District

We express special thanks to Paula Crouse and Jennifer Rasmussen of AOCP for all their help and encouragement throughout the project.

We are also grateful to our colleagues Erika Bailey, Tracey Johnson and Shannon Roth for their assistance and insights with the analysis. Finally, we thank Brian Henry and Aspensoft for developing the web-based data collection tools employed in this study.

EXECUTIVE SUMMARY

At the request of the Nebraska Supreme Court, the Nebraska Administrative Office of the Courts and Probation (AOCP) contracted with the National Center for State Courts (NCSC) to perform a comprehensive update, extension, and improvement of the existing Nebraska judicial weighted caseload system in line with state-of-the-art practices. A clear and objective assessment of court workload is essential to establish the number of judges required to resolve in a timely manner all cases coming before the court. The primary goals of the study were to:

- Develop a valid measure of judicial workload in all District, County and Separate Juvenile Courts, accounting for variations in complexity among different case types, as well as differences in the non-case-related responsibilities of judges;
- Evaluate the current allocation of judicial resources;
- Establish a transparent and empirically driven formula for determining the appropriate level of judicial resources in each judicial district.
- Enable compliance with Nebraska Rev. Stat. §24-1007, which requires the state court administrator to compile accurate judicial workload statistics for each district, county, and separate juvenile court based on caseload numbers weighted by category of case.

Project Design

To provide oversight and guidance on matters of policy throughout the project, Chief Justice Michael G. Heavican appointed a 19-member Judicial Needs Assessment Committee (JNAC) representing District, County and Separate Juvenile courts across the state. The workload assessment was conducted in two phases:

1. A quantitative Time Study in which all judges recorded all case-related and non-case-related work over a four-week period. The purpose was to provide an empirical description of the amount of time currently devoted to processing each case type, as well as the division of the workday between case-related and non-case-related activities.
2. A qualitative Sufficiency of Time survey to provide a statewide perspective on areas of concern in relation to current case processing practice and existing judicial resources. All judges were asked to complete the web-based survey. The survey provided important insight into whether judges believe they have sufficient time available to perform all of their various case-related and non-case-related responsibilities.

Project Results

Applying the final weighted caseload model to current case filings shows that the current number of judges is appropriate to handle the existing judicial workload. The lone exception is the 4th Judicial District where the model shows a current need for an additional two judgeships. Viewed statewide, Nebraska currently has a need for a total of 58 District Court judges, 58 County Court judges, and 12 Separate Juvenile Court judges.

Recommendations

The final weighted caseload model discussed in this report provides an empirically grounded basis for analyzing judicial workload and need in each of Nebraska's District, County, and Separate Juvenile Courts. The following recommendations are intended to ensure the effective use of the weighted caseload model and to preserve the model's integrity and utility over time.

Recommendation 1

The revised weighted caseload model clearly illustrates the changing character of judicial workload in Nebraska. The model is used to determine the number of judges needed in each District, County and Separate Juvenile Court. The model finds the current complement of judges is appropriate in all court locations, with the exception of the 4th Judicial District. The model suggests the need for two new judgeships in the 4th Judicial District, but does not reflect the additional judgeship to be added in that district effective July 1, 2021.

Recommendation 2

A critical assumption of Nebraska's weighted caseload models is that case filings are entered into JUSTICE uniformly and accurately. NCSC recommends that Nebraska's district and county court clerks continue their efforts to improve the uniformity of data entry and that the trial courts continue efforts to encourage uniformity in case filings. Ideally, for all criminal and civil case types, multi-charge or multi-petition cases should be counted as a single case unless they are unable to be consolidated and must be processed separately. For juvenile 3A cases, NCSC recommends counting 3A children rather than 3A cases due to the disparate filing practices among prosecutors across the state. A case with multiple children should count each child only once, when they are added to the case.

Recommendation 3

The calculations of judge need in this report are based upon a three-year average of case filing data. NCSC recommends that Nebraska AOCP recalculate judge need on an annual basis using the same methodology set forth in this report and updated with year-end case filing data to produce a 3-year rolling average. The application of the workload formula to the most recent filings will reveal the impact of any caseload changes judicial workload.

Recommendation 4

The availability of support personnel, especially law clerks, bailiffs, court clerks, and child support referees, has a profound impact on judges' ability to perform their work efficiently and effectively. The recommended case weights were calculated based on the actual judge time only, so if support personnel are no longer provided or are reduced in a particular district, the judicial need will be higher than is reflected in the weighted caseload report. JNAC members and results from the Sufficiency of Time survey stressed the importance of strong support staff. NCSC recommends that periodic workload assessments be conducted for law clerks, bailiffs, court clerks, and child support referees.

Recommendation 5

Over time, the integrity of any weighted caseload model may be affected by external factors such as changes in legislation, case law, or court technology. NCSC recommends that the Nebraska Supreme Court and the AOCP conduct a comprehensive review of the weighted caseload models every five to seven years. Between updates, if a major change in the law appears to have a significant impact on judicial workload, JNAC and/or a representative focus group of judges that handle the case type(s) may be convened to make interim adjustments to the affected case weight(s).

I. INTRODUCTION

The Nebraska Administrative Office of the Courts and Probation (AOCP) contracted with the National Center for State Courts (NCSC) to develop a method to measure judicial workload in Nebraska's District, County, and Separate Juvenile Courts. A clear measure of court workload is central to determining how many judicial officers are needed to resolve all cases coming before the court. Adequate resources are essential if the Nebraska judiciary is to effectively manage and resolve court business without delay while also delivering quality service to the public. Meeting these challenges involves assessing objectively the number of judicial officers required to handle the caseload and whether judicial resources are being allocated and used prudently. In response, judicial leaders around the country are increasingly turning to empirically based workload assessments to provide a strong foundation of judicial resource need in their state trial courts.

The need for financial and resource accountability in government is a strong stimulus to develop a systematic method to assess the need for judges. The state-of-the-art technique for assessing judicial need is a weighted caseload study because population or raw, unadjusted filings offer only minimal guidance regarding the amount of judicial work generated by those case filings. The weighted caseload method explicitly incorporates the differences in judicial workload associated with different types of cases, producing a more accurate and nuanced profile of the need for judges in each court.

The current study represents a comprehensive overhaul of the Nebraska weighted caseload system to update the case weights to reflect developments in the law and court procedures. This effort is timely because Nebraska's judicial weighted caseload system was last reviewed and updated about fifteen years ago. Since the previous weighted caseload study, developments in statutes, rules, case law, case management practices, new technology, a growing number of self-represented litigants, and increasing complexity of cases have had a significant impact on the work of District, County, and Separate Juvenile Court judges, necessitating an update of the case weights. The current workload assessment incorporates several innovations in comparison with previous studies conducted in Nebraska. Specifically, the current study:

1. Increases time study participation, soliciting statewide participation from all District, County, and Separate Juvenile Court judges, to more accurately estimate the time required to resolve cases.
2. Updates and establishes weights for more granular case types across all court levels, to reflect differences in current practice and case processing.
3. Reassesses the amount of time available for case-related work, adjusting the judge day and year values to reflect current practice, incorporating real-time reported travel by district.
4. Develops a rounding convention that puts courts of all sizes on equal footing and sets threshold standards to gauge the need for a change in judicial positions based on workload per judge.

A. The Weighted Caseload Model

The weighted caseload method of workload analysis is grounded in the understanding that different types of court cases vary in complexity, and consequently in the amount of judicial work they generate. For example, a typical felony case creates a greater need for judicial resources than the average traffic case. The weighted caseload method calculates judicial need based on each court's total workload. The weighted caseload formula consists of three critical elements:

3. *Case filings*, or the number of new cases of each type opened each year;
4. *Case weights*, which represent the average amount of judge time required to handle cases of each type over the life of the case; and
5. The *year value*, or the amount of time each judge has available for case-related work in one year.

Total annual workload is calculated by multiplying the annual filings for each case type by the corresponding case weight, then summing the workload across all case types. Each court's workload is then divided by the year value to determine the total number of full-time equivalent judges and/or judicial officers needed to handle the workload.

Judicial weighted caseload is well established in Nebraska. This methodology is mandated in statute, and for over two decades, the Judicial Resources Commission has used the weighted caseload method to assess judicial resource needs and recommend judgeships to the Nebraska Legislature.

B. The Judicial Needs Assessment Committee

To provide oversight and guidance on policy throughout the project, the Nebraska Supreme Court appointed a 19-member Judicial Needs Assessment Committee (JNAC) consisting of judges from District, County, and Separate Juvenile Courts from all geographical regions and court sizes, as well as AOCP representatives and the Nebraska State Bar Association (NSBA). JNAC's role was to advise NCSC on the selection of case types (e.g., criminal, civil, domestic) and the time study design, as well as to recommend policy decisions regarding the amount of time allocated to case-related and non-case-related work (judge day and year values) and review the results of the analysis. Hon. Stephanie Stacy, Supreme Court of Nebraska, served as chair of JNAC.
The full Committee met two times over the course of the project, in addition to multiple sub-committee conference calls held to identify case types and evaluate the data collection strategy. Committee responsibilities included:

- Advising the project team on the definitions of case types and case-related and non-case-related events to be used during the time study;
- Encouraging and facilitating participation by judges statewide in the time study and Sufficiency of Time survey;
- Reviewing and commenting on the results of the time study and the content of the final model.

C. Research Design

The workload assessment was conducted in two phases:

1. A *time study* in which all District, County, and Separate Juvenile Court judges were asked to record all case-related and non-case-related work over a four-week period. The time study provides an empirical description of the amount of time currently devoted to processing each case type, as well as the division of the workday between case-related and non-case-related activities.
2. A Sufficiency of Time survey to provide a statewide perspective on areas of concern in relation to current case processing practice and existing judicial resources. All judges were asked to complete the web-based survey. The survey provided important insight into whether judges believe they have sufficient time available to perform all of their various case-related and non-case-related responsibilities.

II. Case Types and Events

At JNAC's first meeting on August 22, 2019, one of the committee's primary tasks was to establish the case type and event categories upon which to base the time study. Together, the case types, case-related events, and non-case-related

events describe all the work required and expected of Nebraska's District, County, and Separate Juvenile Court judges.

A. Case Type Categories

JNAC was charged with establishing three sets of case type categories, one set each for District, County, and Separate Juvenile Court, which satisfied the following requirements:

- Categories are legally and logically distinct;
- There are meaningful differences among categories in the amount of judicial work required to process the average case;
- There are a sufficient number of case filings within the category to develop a valid case weight; and
- Filings for the case type category or its component case types are tracked consistently and reliably in JUSTICE.[1]

Using the case type categories currently tracked in JUSTICE as a starting point, JNAC revised and defined 8 case type categories for District Court, 19 case types for County Court, and 10 for Separate Juvenile Court (Exhibit 1). This was an update to the previous workload assessment study done in 2006, which used a condensed set of case type categories for the time study (District: 6 case types; County: 12 case types; Separate Juvenile: 4 case types). JNAC decided to better delineate several case types that were collapsed into larger categories or otherwise excluded in the 2006 study. This was done to account for differences in time spent processing those case types as their processing has changed over the course of 15 years.

Details regarding the specific case types included in each category are available in Appendix A (District Court), Appendix B (County Court), and Appendix C (Separate Juvenile Court).

B. Case-Related Event Categories

To describe case-related work in more detail, JNAC defined three case-related event categories that cover the complete life cycle of each case. Case-related events cover all work related to an individual case before the court, including on-bench work (e.g., hearings) and off-bench work (e.g., reading case files, preparing orders). A uniform set of three case-related event categories applied to all three court levels, with a fourth category specifically for the District Court. Exhibit 2 shows the case-related event categories and their definitions.

C. Non-Case-Related Events

Work that is not related to a particular case before the court, such as court management, committee meetings, travel, and judicial education, is also an essential part of the judicial workday. To compile a detailed profile of judges' non-case-related activities and provide an empirical basis for the construction of the judge day and year values, JNAC defined nine non-case-related event categories (Exhibit 2). To simplify the task of completing the time study forms and aid in validation of the time study data, vacation and other leave, lunch and breaks, and time spent filling out time study forms were included as non-case-related events.

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[1] JUSTICE, *(Judicial User System to Improve Court Efficiency)*, is the Supreme Court's case-based data storage system comprised of clerk entries of information from relevant courts.

Exhibit 1: Case Type Categories

District Court	County Court	Separate Juvenile Court
Problem Solving Court Cases	Felony	Adoption
Protection Orders	Misdemeanor	Domestic Relations
Civil	District Court:	Juvenile:
Class I Felony	Adult Problem-Solving Court	3A Children & Problem-Solving Court*
Other Criminal	Domestic Relations	3A Cases & Problem-Solving Court
Domestic Relations	Protection Orders	Delinquency
Appeals	Traffic	Status Offender 3B
Aministrative Appeals	Civil	Mentally Ill and Dangerous 3C
	Probate	Bridge to Independence (B21)
	Guardianship/Conservatorship	Interstate Compact
	Small Claims	
	Adoption	
	Juvenile:	
	3A Children* & Problem-Solving Court**	
	3A Cases & Problem Solving-Court	
	Delinquency	
	Status Offender 3B	
	Mentally Ill and Dangerous 3C	
	Bridge to Independence (B21)	
	Interstate Compact	

*3A Children cases include: Abuse/Neglect/Dependency, and Termination of Parental Rights
**At the time of the study, only separate juvenile courts had problem-solving courts, and all participants were involved in a 3A case. As such, the problem-solving court case category was combined with 3A children to arrive at a single weight. The goal is to determine a separate weight for juvenile problem-solving court cases at a future point.

Exhibit 2. Non-Case-Related Events

Non-Case-Related Events
Non-Case-Related Administration
General Legal Research
Judicial Education and Training
Committee Meetings, Other Meetings, and Related Work
Community Activities and Public Outreach
Work-Related Travel
Vacation, Sick Leave, and Holidays
Lunch and Breaks
NCSC Time Study

III. Time Study

The time study phase of the workload assessment measured current practice—the amount of time judges currently spent handling cases of each type, as well as on non-case-related work. For a period of four weeks, all Nebraska District, County, and Separate Juvenile Court judges were asked to track all of their working time by case type and event. Separately, the AOCP provided counts of filings by case type category and court. NCSC used the time study and filings data to calculate the average number of minutes currently spent by the judges in each court resolving cases within each case type category (preliminary case weights). The time study results also informed JNAC's selections of day and year values for case-related work.

A. Data Collection

1. Time Study

During a four-week period from October 21 – November 17, 2019, all District, County, and Separate Juvenile Court judges were asked to track all working time by case type category and by case-related or non-case-related event (for non-case-related activities). County Court judges that heard District Court problem-solving court cases were also asked to track their time for that work. Participants were instructed to record all working time, including time spent handling cases on and off the bench, non-case-related work, and any after-hours or weekend work. Judges tracked their time in five-minute increments using a Web-based form.

To maximize data quality, all time study participants were asked to view a live or recorded webinar training module explaining how to categorize and record their time. In addition to the training webinars, NCSC staff presented a live training at their judicial education conference, judges were provided with Web-based reference materials, and NCSC staff were available to answer questions by telephone and e-mail. The Web-based method of data collection allowed time study participants to verify that their own data were accurately entered and permitted real-time monitoring of participation rates.

Across the state, the vast majority of District Court judges (96%), County Court judges

(98%), and Separate Juvenile Court judges (100%) participated in the time study. This level of statewide participation ensured sufficient data to develop an accurate and reliable profile of current practice in Nebraska's District, County, and Separate Juvenile Courts.

2. Caseload Data

To translate the time study data into the average amount of time expended on each type of case (preliminary case weights), it was first necessary to determine how many individual cases of each type are filed on an annual basis. The AOCP provided filings data for 2017, 2018, and 2019. The caseload data for all three years were then averaged to provide an annual count of filings within each case type category and court, shown in Exhibit 3. The use of an 3-year annual average rather than the caseload data for a single year minimizes the potential for any temporary fluctuations in caseloads to influence the case weights.

B. Preliminary Case Weights

Following the four-week data collection period, the time study and caseload data were used to calculate preliminary case weights as shown in Exhibit 3. A preliminary case weight represents the average amount of time judges currently spend to process a case of a particular type, from pre-filing activity to all post-judgment matters. The use of separate case weights for each case type category accounts for the fact that cases of varying levels of complexity require different amounts of judicial time for effective resolution.

To calculate the preliminary case weights, the time recorded for each case type category was weighted to the equivalent of one year's worth of time for all judges statewide. The total annual time for each case type was then divided by the average annual filings to yield the average amount of hands-on time judges currently spend on each case. The preliminary case weights proposed by NCSC are set out in Exhibit 3.

The standard approach for calculating preliminary case weights works well as long as new cases are filed and counted consistently across the state. This was the case in most, but not all, of the case types in Nebraska.

Juvenile Problem-Solving Court cases are currently offered only in the separate juvenile courts and such cases are not consistently tracked and coded in JUSTICE. Consequently, JNAC determined that the time recorded under Problem-Solving Court cases during the time study should be combined with time recorded in Juvenile 3A to form a single "Juvenile 3A & PSC" category. A goal for AOCP is to produce a separate Juvenile PSC case weight at a future point.

Additionally, the counting of Juvenile 3A cases proved problematic in both the county courts and the separate juvenile courts, due to disparate filing practices. Prosecutors in some judicial districts routinely file a separate case for each child, while prosecutors in other districts will file a single case to address multiple children and parents. This creates an equity problem if some courts are getting workload credit for each child and others are getting the same workload credit per case that may involve multiple children. As a consequence, NCSC calculated two versions of the Juvenile 3A & PSC case weight: one version counted 3A cases as has been done historically, and the other version counted 3A children instead. NCSC recommends counting 3A children (using the 3A Children & PSC case weight in Exhibit 3) rather than counting 3A cases, as this approach better addresses the disparate filing practices across the state and puts all courts on a more equal footing.

JNAC reviewed the preliminary case weights developed by NCSC (see Exhibit 3) and with one exception discussed later, generally

considered the weights to be an accurate representation of current judicial practice in the district, county, and separate juvenile courts. JNAC also agreed with NCSC's recommendation to count 3A Children rather than 3A Cases. However, as discussed in the next section, JNAC could not reach consensus on whether to accept or reject the different case weights proposed by NCSC for 3A Children & PSC in County and Separate Juvenile Courts.

1. *Different Weights in Different Courts*

Based on the actual time reported by judges during the time study, NCSC developed different case weights for several case types of juvenile case types depending on whether the case was being handled in a county court or a separate juvenile court. In county courts, adoption cases, domestic relations cases, and bridge to independence cases were all weighted higher than the same cases in a separate juvenile court. And in separate juvenile courts, 3A & PSC, status offense cases, and delinquency cases were all weighted higher than the same cases in county court. Of the different proposed case weights, only one prompted concern from members of the JNAC: the case weight for 3A children and PSC. Members of the JNAC devoted considerable discussion to this issue, and NSCS accepted additional input on the issue after the meeting. The time study data showed that judges spend different amounts of time handling 3A cases in the county and separate juvenile courts. Some members of JNAC observed that the separate juvenile courts were established to specialize in these cases and given resources to handle them in ways different from traditional county court processes. These members suggested the different weights shown in Exhibit 3 reflect the actual variation in judicial practice among Nebraska courts and the higher weights in separate juvenile acknowledge investment in "better" practices. On the other hand, it was suggested that all 3A cases are governed by the same law whether they are handled in county court or separate juvenile court, and the goal should be that the quality of justice is the same for all citizens of Nebraska regardless of whether they live in a district with a separate juvenile court.

NSCS recognizes that, at this point in time, it may not be statutorily possible to create Separate Juvenile Courts in all Nebraska districts. The proposed weights in Exhibit 3 accurately reflect the actual judicial handling practices in each courts, but it is a separate policy question whether the 3A weights should be adjusted to obtain a judicial consensus that the weights are perceived as fair to both county court judges and separate juvenile court judges. NSCS was provided with several policy-based suggestions for adjusting the recommended case weights, and in Appendix G, the impact of the various policy-based adjustments to the case weights is .discussed in more detail.

Exhibit 3. Filings and Preliminary Case Weights

District Court	Annual Filings (average 2017-2019)	Preliminary Case Weight (minutes)
Problem Solving Court Cases	441	683
Protection Orders	6,102	32
Civil	5,904	219
Class I Felony	1,044	367
Other Criminal	11,368	149
Domestic Relations	13,502	97
Appeals	262	343
Aministrative Appeals	125	540
Total	38,748	

County Court	Filings (average 2017-2019)	Preliminary Case Weight (minutes)
Protection Orders	3,298	32
Felony	17,074	26
Misdemeanor	79,124	23
District Court: Adult Problem-Solving Court	14	683
Traffic	119,853	1
Civil	85,675	8
Probate	6,066	61
Guardianship/Conservatorship	2,049	133
Small Claims	3,709	30
Adoption	696	92
Domestic Relations	4	97
Juvenile: 3A CHILDREN & PSC	1,290	272
Juvenile: 3A CASES & PSC	1,138	308
Juvenile: Delinquency	3,090	100
Juvenile: Status Offender 3B	533	37
Juvenile: Mentally Ill and Dangerous 3C	21	265
Juvenile: Bridge to Independence (B21)	51	58
Juvenile: Interstate Compact Hearings/Filings	141	2
Total	323,834	

Separate Juvenile Court	Annual Filings (average 2017-2019)	Preliminary Case Weight (minutes)
Adoption	289	49
Domestic Relations	89	26
Juvenile: 3A CHILDREN & PSC	1,381	518
Juvenile: 3A CASES & PSC	713	1,003
Juvenile: Delinquency	2,634	136
Juvenile: Status Offender 3B	762	54
Juvenile: Mentally Ill and Dangerous 3C	1	265
Juvenile: Bridge to Independence (B21)	119	36
Juvenile: Interstate Compact Hearings/Filings	122	2
Total	6,133	

IV. Sufficiency of Time Survey

To provide a statewide perspective on any areas of concern related to current practice, all District, County, and Separate Juvenile Court judges were asked to complete a Web-based Sufficiency of Time survey in February/March 2020.

For each case type, judges were asked to rate the extent to which they had sufficient time in the average day to handle case-related activities on a scale from 1 (almost never) to 5 (almost always). Judges were then asked to identify and rank-order specific case-related tasks, if any, where additional time would improve the quality of justice. The survey also included questions about the sufficiency of time for general court management (e.g., participation in court planning and administration), as well as space for judges to comment freely on their workload. The majority of District Court judges (85%), County Court judges (67%), and Separate Juvenile Court judges (77%) completed the survey. Appendix D (District Court), Appendix E (County Court), and Appendix F (Separate Juvenile Court) present the survey results in detail.

V. Judicial Need

In the weighted caseload model, three factors contribute to the calculation of judicial need: caseload data (filings), case weights, and the year value. The year value is equal to the amount of time each full-time judge has available for case-related work on an annual basis. The relationship among the filings, case weights, and year value is expressed as follows:

$$\frac{\text{Filings x Case Weights (minutes)}}{\text{Year Value (minutes)}} = \text{Resource Need (FTE)}$$

Multiplying the filings by the corresponding case weights calculates the total annual workload in minutes. Dividing the workload by the year value yields the total number of full-time equivalent (FTE) judges needed to handle the workload.

A. Judge Year Values

To develop the year values for District, County, and Separate Juvenile Court judges, it was necessary to determine the number of days each judge has available for case-related work in each year (judge year), as well as how to divide the work day between case-related and non-case-related work (judge day value)

1. Judge Year

As shown in Exhibit 5, the judge year value was constructed by beginning with 365 days per year, then subtracting weekends, holidays, vacation and sick leave, and full-day participation in judicial education and training. The 2006 JNAC from the previous NCSC judicial workload studies adopted a judge year of 218 case-related days for all levels of court. The current JNAC reviewed and decided to keep that value as it is still reflective of typical working days in a year.

Exhibit 5. Judge Year

Total days per year		365
Weekends	–	104
Holidays	–	12
Vacation	–	20
Sick Leave	–	8
Education/Training	–	3
Total working days per year		218

2. Judge Day

The judge day value represents the amount of time each judge has available for case-related work each day. This value is calculated by subtracting time for lunch, breaks, travel, and non-case-related work (e.g., administration, education) from the total working day.

Travel time is an important distinction between courts based on their geographical location. To measure the amount of time some judges spend driving between courts in their district, real-time reporting was used to capture actual travel time during the 4-week time study. Actual travel time was averaged within judicial districts for each court type, then travel time was factored out of the amount of available case-related time in the year value. This results in a different judge year value in each judicial district based on the reported travel time in that district.

3. Judge Year Values

To calculate the final year values for case-related work, the number of days in the working year was multiplied by the day value for case-related work. This figure was then expressed in terms of minutes per year. Exhibit 6 shows the calculation of the year values for District, County, and Separate Juvenile Court.

Exhibit 6. Judge Year Values

District Court Judge Year Value

		District 1	District 2	District 3	District 4	District 5	District 6	District 7	District 8	District 9	District 10	District 11	District 12
Day (hours)		8	8	8	8	8	8	8	8	8	8	8	8
Minutes per hour	×	60	60	60	60	60	60	60	60	60	60	60	60
Total minutes per day		480	480	480	480	480	480	480	480	480	480	480	480
Non-case related	−	60	60	60	60	60	60	60	60	60	60	60	60
Travel time	−	60	0	0	0	30	10	45	60	10	70	45	45
Case related time		360	420	420	420	390	410	375	360	410	350	375	375
Judge year (days)	×	218	218	218	218	218	218	218	218	218	218	218	218
Year value (minutes)		78,480	91,560	91,560	91,560	85,020	89,380	81,750	78,480	89,380	76,300	81,750	81,750

County Court Judge Year Value

		District 1	District 2	District 3	District 4	District 5	District 6	District 7	District 8	District 9	District 10	District 11	District 12
Day (hours)		8	8	8	8	8	8	8	8	8	8	8	8
Minutes per hour	×	60	60	60	60	60	60	60	60	60	60	60	60
Total minutes per day		480	480	480	480	480	480	480	480	480	480	480	480
Non-case related	−	60	60	60	60	60	60	60	60	60	60	60	60
Travel time	−	60	30	0	0	60	60	60	90	10	60	60	60
Case related time		360	390	420	420	360	360	360	330	410	360	360	360
Judge year (days)	×	218	218	218	218	218	218	218	218	218	218	218	218
Year value (minutes)		78,480	85,020	91,560	91,560	78,480	78,480	78,480	71,940	89,380	78,480	78,480	78,480

Separate Juvenile Court Judge Year Value

		District 2	District 3	District 4
Day (hours)		8	8	8
Minutes per hour	×	60	60	60
Total minutes per day		480	480	480
Non-case related	−	60	60	60
Travel time	−	10	0	0
Case related time		410	420	420
Judge year (days)	×	218	218	218
Year value (minutes)		89,380	91,560	91,560

B. Judicial Need

To calculate the number of judges needed in District, County, and Separate Juvenile Court, the annual average filings count for each case type was multiplied by the corresponding case weight to calculate the annual judicial workload associated with that case type, in minutes. In each court type, judicial workload was calculated, then divided by the judge year value, or the amount of time each full-time judge has available for case-related work in one year. This yielded the total number of judges required to handle the court's case-related workload, as well as judges' ordinary non-case-related responsibilities, in full-time equivalent (FTE) terms.

Exhibit 7 (District Court), Exhibit 8 (County Court), and Exhibit 9 (Separate Juvenile Court) present the final calculation of judicial workload and need, , by district. Overall, the model suggests a need for 58 District Court judges, 58 County Court judges, and 12 Separate Juvenile Court judges.

In some courts, workload-based judicial need may exceed or fall below the number of currently allocated judicial positions. To determine if a change to the number of judicial positions is merited, the FTE workload per judge is examined relative to a rounding rule.

1. Rounding Rule

The rounding rule sets an upper and lower threshold by which to determine whether a court has too few or many judicial positions given the typical workload in that district. A standard rule is applied to all districts, court levels, and court sizes. The lower threshold is set at 0.6 FTE per judge; the upper threshold is 1.15 FTE per judge. If a court's FTE per judge falls outside of that range, they may qualify to have a review of their number of judicial positions.

Weighted caseload calculations typically result in estimates of judicial need that contain fractional judgeships. In some instances when implied need exceeds the number of sitting judges, the current complement of judges in a given court can organize to handle the additional workload, perhaps with the periodic assistance of a retired or substitute judge. However, at some point, the additional workload crosses a threshold that means the court needs another full-time judicial position to effectively resolve the cases entering the court. The main purpose of the rounding rule is to provide a uniform way to identify the threshold. In other words, the rounding rule provides a consistent method to guide the decision of when to round up or down to a whole judicial position and thereby determine the appropriate number of authorized judicial positions in each circuit and district.

Workload per judge is calculated by dividing the total judge need in each circuit/district by the number of funded judicial positions. According to the rounding convention, when workload per judge is greater than or equal to 1.15 FTE, there is a need for one or more additional judicial positions; where workload per judge falls below .6 FTE, there is a need for fewer positions.[2] For example, in the 3rd Judicial District there are currently 8 FTE district court judges. Dividing the *Implied Need* by the *Actual Judges* (8.44 FTE ÷ 8 FTE) results in a *Current Workload per Judge* of 1.05 FTE. Since workload per judge is below the upper threshold of 1.15 FTE, no additional judgeships are recommended.

[2] A position should not be subtracted, however, when this would result in a per-judge workload greater than 1.15 FTE. For this reason, final workload per judge may be lower than .9 FTE in some counties.

The rounding convention using workload per judge was designed to provide empirical guidance as to which courts are over- or under-resourced. It also provides a means to rank jurisdictions regarding their relative need. The higher the workload per judge, the greater the need for additional resources (e.g., a court with a workload per judge of 1.29 would have a greater need for an additional judge than a court with a workload per judge of 1.12). The upper and lower thresholds are guidelines for an initial identification of courts that may need additional (or fewer) resources.

Courts that are near the threshold (e.g., courts with a workload per judge between 1.10 and 1.20) may benefit from a secondary analysis that examines additional contextual factors affecting the need for judges. For courts falling slightly below the threshold (e.g., workload per judge of 1.14), these extra factors should be considered when determining whether additional judicial resources are needed.

The rounding convention can be summarized as:

Rule 1: If workload per judge >= 1.15, add judges until workload per judge < 1.15

Rule 2: If workload per judge < 0.60, subtract a judge ONLY if resulting workload per judge < 1.15

Exhibit 7. Judicial Workload and Need, District Court

		District												
		1	2	3	4	5	6	7	8	9	10	11	12	Statewide
Total Workload		244,056	416,957	772,490	1,893,644	275,364	252,543	182,868	120,081	347,305	168,962	348,001	311,290	5,333,561
Judicial Year Value	÷	78,480	91,560	91,560	91,560	85,020	89,380	81,750	78,480	89,380	76,300	81,750	81,750	
Implied Judge Need (from model)		3.11	4.55	8.44	20.68	3.24	2.83	2.24	1.53	3.89	2.21	4.26	3.81	60.78
Actual Judges	÷	3	4	8	16	4	3	2	2	4	2	4	4	56
Workload per judge (implied ÷ actual)		1.04	1.14	1.05	1.29	0.81	0.94	1.12	0.77	0.97	1.11	1.06	0.95	1.09
Judge need rounded (1.15/.6)		3	4	8	18	4	3	2	2	4	2	4	4	58

Exhibit 8. Judicial Workload and Need, County Court

		District												
		1	2	3	4	5	6	7	8	9	10	11	12	Statewide
Total Workload		215,683	330,412	676,087	1,235,494	326,377	270,590	203,234	135,406	367,949	214,682	396,941	317,911	4,690,766
Judicial Year Value	÷	78,480	85,020	91,560	91,560	78,480	78,480	78,480	71,940	89,380	78,480	78,480	78,480	
Implied Judge Need (from model)		2.75	3.89	7.38	13.49	4.16	3.45	2.59	1.88	4.12	2.74	5.06	4.05	55.55
Actual Judges	÷	3	4	7	12	5	4	3	3	4	3	5	5	58
Workload per judge (implied ÷ actual)		0.92	0.97	1.05	1.12	0.83	0.86	0.86	0.63	1.03	0.91	1.01	0.81	0.96
Judge need rounded (1.15/.6)		3	4	7	12	5	4	3	3	4	3	5	5	58

Exhibit 9. Judicial Workload and Need, Separate Juvenile Court

		District			
		2	3	4	Statewide
Total Workload		167,764	340,828	627,150	1,135,733
Judicial Year Value	÷	89,380	91,560	91,560	
Implied Judge Need (from model)		1.88	3.72	6.85	12.45
Actual Judges	÷	2	4	6	12
Workload per judge (implied ÷ actual)		0.94	0.93	1.14	1.04
Judge need rounded (1.15/.6)		2	4	6	12

VI. RECOMMENDATIONS

The final weighted caseload model provides an empirically grounded basis for analyzing judicial workload and need in each of Nebraska's District, County, and Separate Juvenile Courts. NSCS recommendations are intended to ensure the effective use of the weighted caseload model and to preserve the model's integrity and utility over time.

Recommendation 1

The revised weighted caseload model clearly illustrates the changing character of judicial workload in Nebraska. The model is used to determine the number of judges needed in each District, County and Separate Juvenile Court. The model finds the current complement of judges is appropriate in all court locations, with the exception of the 4th Judicial District. The model suggests the need for two new judgeships in the 4th Judicial District, but does not reflect the additional judgeship to be added in that district effective July 1, 2021.

Recommendation 2

A critical assumption of Nebraska's weighted caseload models is that case filings are entered into JUSTICE uniformly and accurately. NCSC recommends that Nebraska's district and county court clerks continue their efforts to improve the uniformity of data entry and that the trial courts continue efforts to encourage uniformity in case filings. Ideally, for all criminal and civil case types, multi-charge or multi-petition cases should be counted as a single case unless they are unable to be consolidated and must be processed separately. For juvenile 3A cases, NCSC recommends counting children rather than total cases due to the disparate filing practices across the state. A case with multiple children should count each child only once, when they are added to the case.

Recommendation 3

The calculations of judge need in this report are based upon a three-year average of case filing data. NCSC recommends that Nebraska AOCP recalculate judge need on an annual basis using the same methodology set forth in this report and updated with year-end case filing data to produce a 3-year rolling average. The application of the workload formula to the most recent filings will reveal the impact of any caseload changes judicial workload.

Recommendation 4

The availability of support personnel, especially law clerks, court clerks, bailiffs and child support referees, has a profound impact on judges' ability to perform their work efficiently and effectively. The recommended case weights were calculated based on the actual judge time only, so if support personnel are no longer provided or are reduced in a particular district, the judicial need will be higher that is reflected in the weighted caseload report. JNAC members and results from the Sufficiency of Time survey stressed the importance of strong support staff. NCSC recommends that periodic workload assessments be conducted for law clerks, court clerks, bailiffs and child support referees.

Recommendation 5

Over time, the integrity of any weighted caseload model may be affected by external factors such as changes in legislation, case law, or court technology. NCSC recommends that the Nebraska Supreme Court and the AOCP conduct a comprehensive review of the weighted caseload models every five to seven years. Between updates, if a major change in the law appears to have a significant impact on judicial workload, JNAC and/or a representative focus group of judges that handle the case type(s) may be convened to make interim adjustments to the affected case weight(s).

APPENDIX A. GLOSSARY OF TERMS, DISTRICT COURT

Case Types

A. Problem-Solving Court Cases
Young Adult, Adult Drug, Adult DUI, Veterans , Mental Health, Reentry

B. Protection Orders
Domestic Abuse, Harassment, and Sexual Assault

C. Civil
Everything that is not a Protection Order or Domestic Relations case

D. Class I Felony
Murder 1 & 2, 1st deg. Sex. Asslt, 1st deg. Sex. Asslt on a child

E. Other Criminal
All other criminal cases that are not Class I Felonies

F. Domestic Relations
Divorce, Paternity, Court Ordered Support, Grandparent Visitation, Interstate Child Support, etc.

G. Appeals
Civil, Criminal or Traffic Appeals

H. Administrative Appeals

Case-Related Activities

1. Pre-Disposition/Non-Trial Disposition
Includes all on-bench and off-bench activity related to pretrial proceedings and non-trial dispositions. In probate cases, includes uncontested proceedings to appoint a fiduciary or to order supervision of a trust. Includes all off-bench research and preparation related to pre-disposition and non-trial disposition activities. Some examples of pre-disposition/non-trial disposition activities include:

- Arraignment
- Pretrial motion that does not fully dispose of the case (e.g., motion in limine)
- Scheduling conference
- Issuance of warrant
- Entry of guilty plea and sentencing
- Motion to Dismiss
- Motion for default judgment
- Motion for summary judgment
- Uncontested disposition hearing in domestic/paternity case
- Bond reviews
- 404 & 414 motions
- Determine competency
- Daubert Motion, Trammel Motion

- Discovery motions
- Temporary injunctions

2. **Trial**
   Includes all on-bench and off-bench activity related to a bench or jury trial or another contested proceeding that disposes of the original petition in the case.. Includes all off-bench research and preparation related to trials. Includes sentencing following a bench or jury trial. Some examples of trial activities include:
   - Bench trial
   - Jury trial
   - Sentencing after conviction at trial
   - Trial de novo
   - Contested divorce/paternity/support hearing

3. **Post-Disposition**
   Includes all on-bench and off-bench activity that occurs after the entry of judgment on the original complaintin the case. Includes all off-bench research and preparation related to post-disposition activity. Does not include trials de novo. Some examples of post-disposition activity include:
   - Post-trial motion
   - Motion to Revoke Probation
   - Sentencing after revocation of probation
   - Complaint to change of custody, support, parenting time, or domicile
   - Child support enforcement
   - Motion for installment judgment
   - Custodial sanction hearing
   - Post-conviction/habeas/DNA testing
   - Motion for New Trial
   - Motion to Alter/Amend, Motion to Set Aside Conviction/Judgment
   -
   - Renewal on Protection Orders

4. **Post-Release Supervision (PRS)**
   For District Court only.
   - PRS hearing
   - Custodial sanction hearing
   - PRS status check
   - Motion to revoke PRS
   - Sentencing after revocation of PRS

Non-Case-Related Activities

a. **Non-Case-Related Administration**
   Includes all non-case-related administrative work such as:
   - Staff meetings
   - Judges' meetings
   - Personnel matters
   - Staff supervision and mentoring
   - Court management

b. **General Legal Research**
Includes all reading and research that is ***not*** related to a particular case before the court. Examples include:
- Reading journals
- Reading professional newsletters
- Reviewing appellate court decisions

c. **Judicial Education and Training**
Includes all educational and training activities such as:
- Judicial education
- Conferences

Includes travel related to judicial education and training.

d. **Committee Meetings, Other Meetings, and Related Work**
Includes all work related to and preparation for meetings of state and local committees, boards, and task forces, such as:
- Community criminal justice board meetings
- Bench book committee meetings
- Other court-related committee meetings

Includes travel related to meetings.

e. **Community Activities and Public Outreach**
Includes all public outreach and community service that is performed in a judge's official capacity. This category does not include work for which judges are compensated through an outside source, such as teaching law school courses, or personal community service work that is not performed in your official capacity. Examples of work-related community activities and public outreach include:
- Speaking at schools about legal careers
- Judging moot court competitions

Includes travel related to community activities and public outreach.

f. **Work-Related Travel**
Work-Related Travel includes only travel between courts during the business day. Time is calculated from the primary office location as determined by the Nebraska Supreme Court to the visited court.

Do not include commuting time from your home to your primary office location. Record travel time from your primary office location to judicial education and training, committee meetings, or community activities and public outreach in the applicable category. This is an account of minutes spent on travel only.

g. **Vacation, Sick Leave, and Holidays**
Includes all time away from work due to vacation, personal leave, illness or medical leave, and court holidays.

h. **Lunch and Breaks**
Includes all routine breaks during the working day.

i. **NCSC Time Study**
Includes all time spent filling out time study forms and entering time study data using the Web-based form.

APPENDIX B. GLOSSARY OF TERMS, COUNTY COURT

Case Types

A. **Domestic Relations**
Divorce, Paternity

B. **Protection Orders**
Domestic Abuse, Harassment, and Sexual Assault

C. **Felony**
Bond Settings, Bond Reviews, Preliminary Hearings

D. **Misdemeanor**

E. **District Court: Adult Problem-Solving Court**

F. **Traffic**

G. **Civil**

H. **Probate**
Estates

I. **Guardianship/Conservatorship**
Adult, Incompetent, Minor

J. **Small Claims**

K. **Adoption**

L. **Juvenile: Abuse/Neglect/Dependency, Guardianship, and TPR**

M. **Juvenile: Delinquency**

N. **Juvenile: Status Offender 3B**

O. **Juvenile: Mentally Ill and Dangerous 3C**

P. **Juvenile: Bridge to Independence (B2I)**

Q. **Juvenile: Interstate Compact Hearings/Filings**
Transfer of Youth Under Supervision; Runaways, Escapees, and Absconders

R. **Juvenile: Problem-Solving Court Cases** (currently this time is included in 3A weight)

Case-Related Activities

1. **Pre-Disposition/Non-Trial Disposition**
   Includes all on-bench and off-bench activity related to pretrial proceedings and non-trial dispositions. In probate cases, includes uncontested proceedings to appoint a fiduciary or to order supervision of a trust. Includes all off-bench research and preparation related to pre-disposition and non-trial disposition activities. Some examples of pre-disposition/non-trial disposition activities include:
   - Arraignment
   - Pretrial motion that does not fully dispose of the case (e.g., motion in limine, motion to suppress)
   - Proceeding to appoint a temporary guardian/conservator
   - Scheduling conference
   - Issuance of warrant (e.g., review probable cause affidavits and set bond; issue search warrant)
   - Pre-Adjudication juvenile delinquency review
   - Entry of guilty plea and sentencing
   - Informal traffic hearing
   - Motion for summary judgment
   - Hearing on appointment of permanent guardian/conservator
   - Uncontested disposition hearing
   - Motions for judgment on the pleadings
   - Motions for default judgment
   - Motions to dismiss
   - Motion to Suppress
   - Competency hearings
   - Bond Reviews
   - Competency Motions
   - Cancel Warrants
   - Motions for Default Judgment
   - Motions for Debtor Exams
   - Signing and Reviewing Search Warrants during and after work hours
   - Signing and Reviewing Arrest Warrants during and after work hours
   - SIGNDESK
   - Motions for Substitute Service
   - Seal Orders (Juvenile and Adult)
   - Gun Appeals
   - Juvenile (3a)-ex parte finding for removal; appt counsel, etc.

2. **Trial**
   Includes all on-bench and off-bench activity related to a bench or jury trial or another contested proceeding that disposes of the original petition in the case. In probate cases, includes contested proceedings to appoint a fiduciary or to order supervision of a trust. Includes all off-bench research and preparation related to trials. Includes sentencing following a bench or jury trial. Some examples of trial activities include:
   - Bench trial
   - Jury trial
   - Sentencing after conviction at trial
   - Trial de novo
   - Trial on appointment of a permanent guardian/conservator
   - Contested divorce hearing

- Juvenile adjudicatory hearing
- Contested disposition hearing
- Will Contest
- Trial to Remove POA, Trustee, Guardian/Conservator, Termination of Guardianship/Conservatorship
- Expedited Visitation Hearings in Guardianships
- Contested Fee Application Hearings
- Conducted All Legal Research
- Draft all Orders (Motions, Trial, Scheduling, etc.)
- Drug court termination hearings by county judge for district court drug court cases
- Sentencing hearings to determine financial ability to pay
- Drug court termination hearings by county judge for district court drug court cases

3. **Post-Disposition**
Includes all on-bench and off-bench activity that occurs after the entry of judgment on the original petition in the case. In probate cases, includes all activity after a fiduciary is appointed or trust supervision is ordered. Includes all off-bench research and preparation related to post-disposition activity. Does not include trials de novo. Some examples of post-disposition activity include:
   - Post-trial motion
   - Sentencing after revocation of probation
   - Guardianship/conservatorship review
   - Guardianship/conservatorship modification/termination proceeding
   - Account review (probate)
   - Motion for installment judgment
   - Permanency hearing
   - Termination of parental rights
   - 90-day review hearing (child protective proceedings)
   - Post-adjudication juvenile delinquency review
   - Custodial sanction hearing
   - Post-conviction/habeas/DNA testing
   - Time to Pay Requests
   - Motions to Set Aside
   - Motion for Debtor Exams
   - Revivor Hearings
   - Application for Continuing Lien
   - Release Garnishee
   - Motions to Determine Garnishee Liability
   - Release of Non Exempt Funds
   - Motions to Seal
   - Garnishments
   - Debtor exams
   - Contempt/orders to show cause hearings
   - Hearings on failures to pay fines/costs

Non-Case-Related Activities

a. **Non-Case-Related Administration**
Includes all non-case-related administrative work such as:
Staff meetings
Judges' meetings
Personnel matters
Staff supervision and mentoring
Court management

b. **General Legal Research**
Includes all reading and research that is ***not*** related to a particular case before the court. Examples include:
Reading journals
Reading professional newsletters
Reviewing appellate court decisions

c. **Judicial Education and Training**
Includes all educational and training activities such as:
Judicial education
Conferences
Includes travel related to judicial education and training.

d. **Committee Meetings, Other Meetings, and Related Work**
Includes all work related to and preparation for meetings of state and local committees, boards, and task forces, such as:
Community criminal justice board meetings
Bench book committee meetings
Other court-related committee meetings
Includes travel related to meetings.

e. **Community Activities and Public Outreach**
Includes all public outreach and community service that is performed in a judge's official capacity. This category does not include work for which a judge is compensated through an outside source, such as teaching law school courses, or personal community service work that is not performed in their official capacity. Examples of work-related community activities and public outreach include:
Speaking at schools about legal careers
Judging moot court competitions
Includes travel related to community activities and public outreach.

f. **Work-Related Travel**
Work-Related Travel includes only travel between courts during the business day. Time is calculated from the primary office location as determined by the Nebraska Supreme Court to the visited court.

Does not include commuting time from a judge's home to their primary office location. Does include travel time from a judge's primary office location to judicial education and training, committee meetings, or community activities and public outreach in the applicable category. This is an account of minutes spent on travel only.

g. **Vacation, Sick Leave, and Holidays**
Includes all time away from work due to vacation, personal leave, illness or medical leave, and court holidays.

h. **Lunch and Breaks**
Includes all routine breaks during the working day.

i. **NCSC Time Study**
Includes all time spent filling out time study forms and entering time study data using the Web-based form.

APPENDIX C. GLOSSARY OF TERMS, SEPARATE JUVENILE COURT

Case Types

A. **Abuse/Neglect/Dependency, Guardianship, and TPR**

B. **Delinquency**

C. **Status Offender 3B**

D. **Mentally Ill and Dangerous 3C**

E. **Problem-Solving Court Cases** (currently this time is included in the 3A weight)

F. **Adoption**

G. **Domestic Relations**
Paternity and Custody Determinations

H. **Bridge to Independence (B2I)**

I. **Interstate Compact Hearings/Filings**
Transfer of Youth Under Supervision; Runaways, Escapees, and Absconders

Case-Related Activities

4. **Pre-Disposition/Non-Trial Disposition**
Includes all on-bench and off-bench activity related to pretrial proceedings and non-trial dispositions. Includes all off-bench research and preparation related to pre-disposition and non-trial disposition activities. Some examples of pre-disposition/non-trial disposition activities include:
   - Initial appearance-both 3a and delinq.
   - Docket call-
   - Pretrial motion hearing (both types of cases)
   - Plea hearing/informal adjudication(both types of cases)
   - Formal adjudication/trial (both types of cases)
   - Disposition hearing (both types of cases)

5. **Trial**
Includes all on-bench and off-bench activity related to a bench trial or another contested proceeding that disposes of the original petition in the case. Includes all off-bench research and preparation related to trials. Some examples of trial activities include:
   - Continued disposition hearing (both types of cases)
   - Review hearing (3a and probation)
   - Permanency hearing (3a only)
   - Exception hearing (3a only)
   - Detention hearing (delinquency only)

6. **Post-Disposition**
Includes all on-bench and off-bench activity that occurs after the entry of judgment on the original petition in the case. Includes all off-bench research and preparation related to post-disposition activity. Does not include trials de novo. Some examples of post-disposition activity include:
- Revocation of probation hearing docket call or plea (delinquency only)
- Revocation of probation hearing-contested hearing (delinquency only)
- Motion for commitment to yrtc hearings (delinquency only)
- Motion for termination of parental rights hearings (3a only) initial appearance, docket call and plea or formal hearing(trial)
- Guardianship review hearings (3a only)
- Placement check hearings (both delinquency and 3a)
- Placement change hearings (primarily 3a but occasionally probation review)
- Interstate compact hearings on runaways and absconders

Non-Case-Related Activities

a. **Non-Case-Related Administration**
Includes all non-case-related administrative work such as:
- Staff meetings
- Judges' meetings
- Personnel matters
- Staff supervision and mentoring
- Court management

b. **General Legal Research**
Includes all reading and research that is ***not*** related to a particular case before the court. Examples include:
- Reading journals
- Reading professional newsletters
- Reviewing appellate court decisions

c. **Judicial Education and Training**
Includes all educational and training activities such as:
- Judicial education
- Conferences

Includes travel related to judicial education and training.

d. **Committee Meetings, Other Meetings, and Related Work**
Includes all work related to and preparation for meetings of state and local committees, boards, and task forces, such as:
- Community criminal justice board meetings
- Bench book committee meetings
- Other court-related committee meetings

Includes travel related to meetings.

e. **Community Activities and Public Outreach**
Includes all public outreach and community service that is performed in a judge's official capacity. This category does not include work for which a judge is compensated through an outside source, such as teaching law school courses, or personal community service work that is not performed in

their official capacity as a judge. Examples of work-related community activities and public outreach include:

- Speaking at schools about legal careers
- Judging moot court competitions

Includes travel related to community activities and public outreach.

f. Work-Related Travel

Work-Related Travel includes only travel between courts during the business day. Time is calculated from the primary office location as determined by the Nebraska Supreme Court to the visited court.

Does not include commuting time from a judge's home to their primary office location. Does include travel time from a judge's primary office location to judicial education and training, committee meetings, or community activities and public outreach in the applicable category. This is an account of minutes spent on travel only.

g. Vacation, Sick Leave, and Holidays

Includes all time away from work due to vacation, personal leave, illness or medical leave, and court holidays.

h. Lunch and Breaks

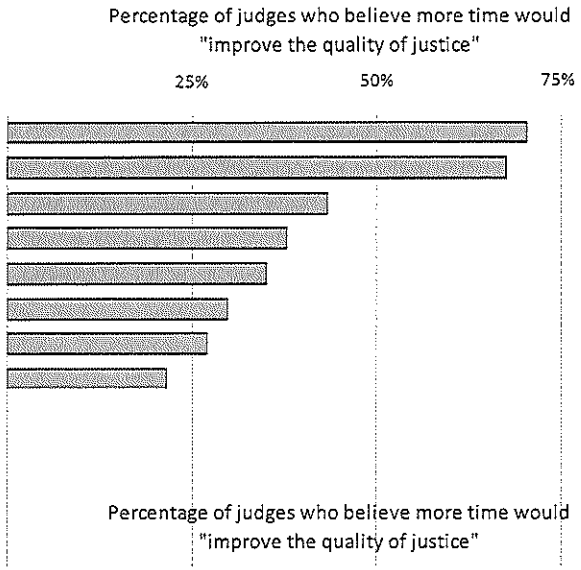
Includes all routine breaks during the working day.

i. NCSC Time Study

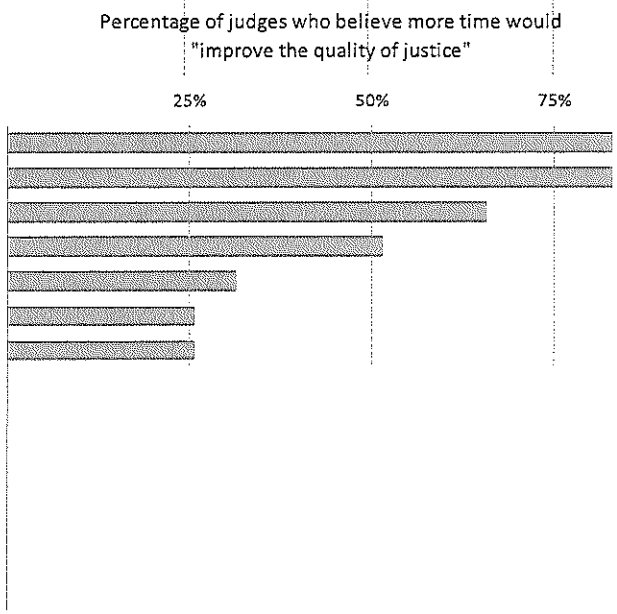
Includes all time spent filling out time study forms and entering time study data using the Web-based form.

APPENDIX D. SUFFICIENCY OF TIME SURVEY RESULTS, DISTRICT COURT

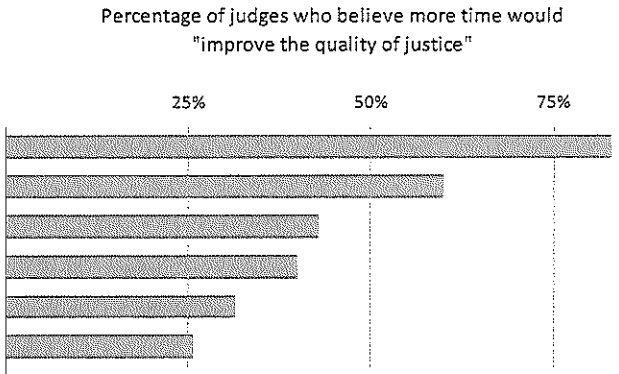
	No. of Responses
Criminal Cases	
prepare findings and orders related to pretrial motions	26
conduct legal research	25
prepare for trials	16
prepare findings and orders related to trials and sentencing	14
prepare for problem-solving court (e.g., staffing, file review, administration)	13
review the case file and pre-sentence report in advance of sentencing	11
review and hear pretrial motions (e.g., motion to suppress)	10
explain orders and rulings	8



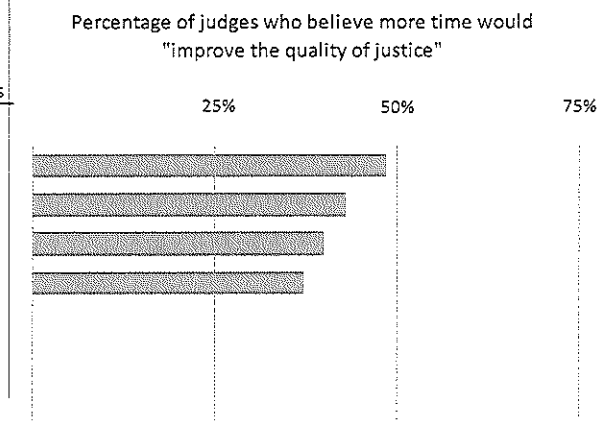
	No. of Responses
Civil Cases	
conduct legal research	29
prepare findings and orders related to pretrial motions	29
prepare findings and orders related to trials	23
review and hear pretrial motions (e.g., motion in limine, motion for summary judgment)	18
conduct settlement conferences	11
address the issues surrounding self-represented litigants	9
prepare for trials	9



	No. of Responses
Domestic Relations Cases	
prepare findings and orders related to trials/final hearings	29
prepare findings and orders related to complaints for modification	21
conduct trials/final hearings	15
prepare findings and orders related to motions	14
address the issues surrounding self-represented litigants	11
conduct legal research	9

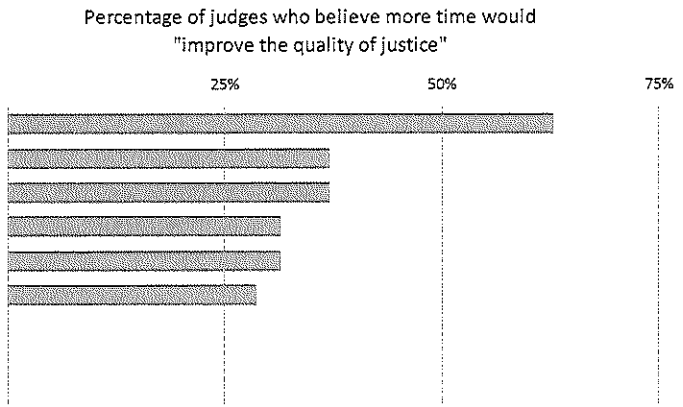


	No. of Responses
General Court Management	
read professional journals, appellate opinions, etc.	17
prepare for and participate in meetings of committees, conferences, and work groups	15
participate in judicial education and training	14
participate in court planning and administration	13

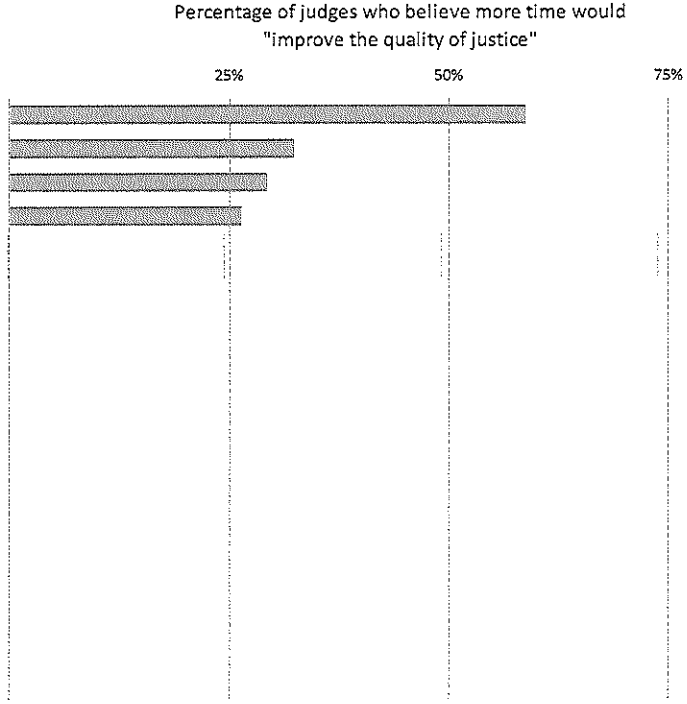


APPENDIX E. SUFFICIENCY OF TIME SURVEY RESULTS, COUNTY COURT

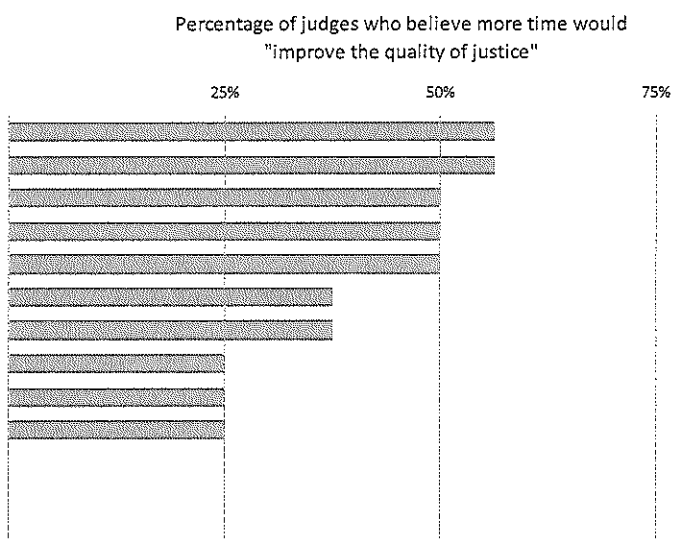
	No. of Responses
Criminal Cases	
conduct legal research	22
conduct hearings that involve use of interpreters	13
prepare findings and orders related to pretrial motions	13
address the issues surrounding self-represented litigants	11
review the case file and pre-sentence report in advance of sentencing	11
prepare findings and orders related to trials and sentencing	10



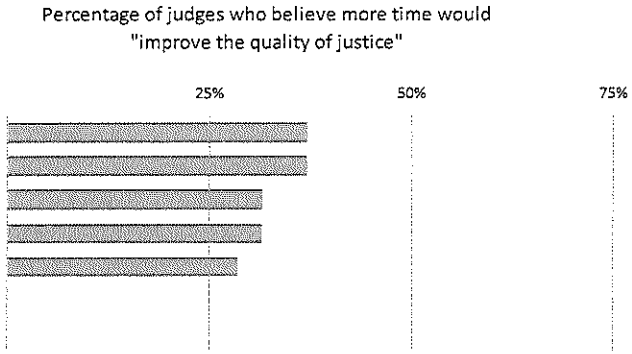
	No. of Responses
Civil and Domestic Relations Cases	
conduct legal research	20
prepare findings and orders related to trials/final hearings	11
conduct case management and pretrial conferences	10
address the issues surrounding self-represented litigants	9



	No. of Responses
Juvenile Cases	
review the case file and reports	9
prepare for and conduct pre-disposition hearings (e.g., detention hearing, initial hearing)	9
prepare for and conduct disposition hearings	8
review and consider the case file and reports for final hearing/disposition	8
prepare for and conduct post-disposition hearings (e.g., review hearing)	8
explain orders and rulings	6
ensure that parties and their counsel feel that their questions/concerns are addressed	6
consider pre-disposition motions	4
prepare findings and orders for for final hearing/disposition	4
prepare findings and orders related to post-judgment/post-disposition matters	4

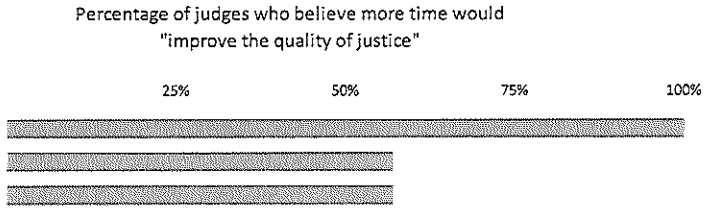


	No. of Responses
General Court Management	
participate in judicial education and training	13
participate in public outreach and education	13
prepare for and participate in meetings of committees, conferences, and work groups	12
participate in or hold regularly scheduled meetings with justice system and community partners	10
read professional journals, appellate opinions, etc.	9

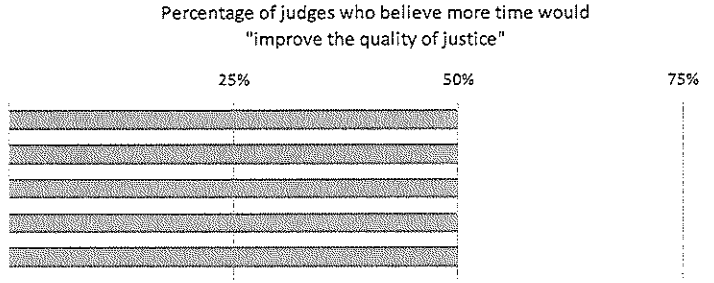


APPENDIX F. SUFFICIENCY OF TIME SURVEY RESULTS, SEPARATE JUVENILE COURT

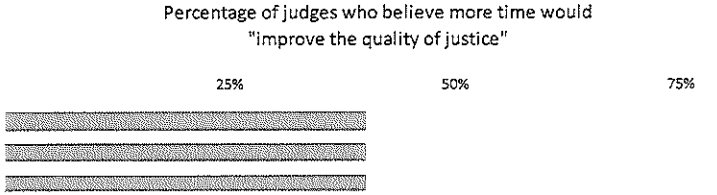
	No. of Responses
Abuse/Neglect, guardianship, and TPR Cases	
review the case file and reports	7
prepare for and conduct disposition hearings	4
prepare for and conduct post-disposition hearings (e.g., review hearing)	4



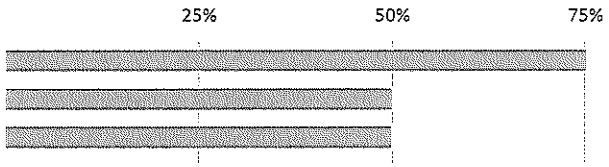
	No. of Responses
Delinquency Cases	
review the case file and reports	3
prepare for and conduct disposition hearings	3
review and consider the case file and reports for final hearing/disposition	3
explain orders and rulings	3
ensure that parties and their counsel feel that their questions/concerns are addressed	3



	No. of Responses
Other Juvenile Cases	
review the case file and reports	2
prepare for and conduct pre-disposition hearings (e.g., initial hearing)	2
prepare findings and orders for for final hearing/disposition	2



	No. of Responses	Percentage of judges who believe more time would "improve the quality of justice"
General Court Management		
read professional journals, appellate opinions, etc.	5	
prepare for and participate in meetings of committees, conferences, and work groups	3	
participate in or hold regularly scheduled meetings with justice system and community partners	3	



APPENDIX G: IMPLICATIONS FOR JUDICIAL NEED USING THREE ALTERNATIVE VERSIONS OF THE 3A CHILDREN & PSC CASE WEIGHT

The purpose of this Appendix is to present the implications for judicial need in the County Courts and Separate Juvenile Courts using three alternative versions of the case weight for 3A Children & PSC cases. The results on judicial need presented in Exhibits 8 and 9 use the individual weights for 3A Children & PSC based on the time study and shown in Exhibit 3: 272 minutes for County Court and 518 minutes for Separate Juvenile Court. As discussed above in relation to Exhibit 3, JNAC was not able to reach consensus on the case weight(s) for 3A Children & PSC cases for the reasons articulated. To understand the policy implications on judicial need if the weights are adjusted, NCSC considered the following three options suggested by members of the JNAC and other county court judges:

1. Use a combined average of 399 minutes for Juvenile 3A children & PSC in all courts.
2. Use the county court weight of 272 minutes for Juvenile 3A children & PSC in both county court and separate juvenile court .
3. Use the separate juvenile court weight of 518 minutes for Juvenile 3A children & PSC in both the county court and the separate juvenile court.

Results of the three options are presented on the following pages.

Option 1. Implied judicial need using the overall average for 3A Children & PSC cases of 399 minutes is shown in **G1a** and **G1b** for County Court and Separate Juvenile Court by district. The primary impact of this option is to increase the implied need in the County Court by about two judicial full-time equivalent (FTE) and to lower the implied need in the Separate Juvenile Court by about two FTE. However, applying the rounding rule using this option would not lead to an immediate suggested change in the number of judges by district for either court type. Over time, however, and assuming no significant change in actual judicial handling practices, this option would generally underestimate the actual judicial need in the separate juvenile courts, and overestimate the actual judicial need in the county courts.

G1a: County Court Implied Need using County Court & Separate Juvenile Court Average 3A & PSC Case Weight of 399

		District												
		1	2	3	4	5	6	7	8	9	10	11	12	Statewide
Implied Judge Need (from model)		2.96	3.97	7.38	13.49	4.38	3.64	2.75	2.01	4.34	2.93	5.43	4.33	57.61
Actual Judges	÷	3	4	7	12	5	4	3	3	4	3	5	5	58
Workload per judge (implied ÷ actual)		0.99	0.99	1.05	1.12	0.88	0.91	0.92	0.67	1.09	0.98	1.09	0.87	0.99
Judge need rounded (1.15/.6)		3	4	7	12	5	4	3	3	4	3	5	5	58

G1b: Separate Juvenile Court Implied Need Using County Court & Separate Juvenile Court Average 3A & PSC Case Weight of 399

		2	3	4	Statewide
Implied Judge Need (from model)		1.63	3.22	5.80	10.65
Actual Judges	÷	2	4	6	12
Workload per judge (implied ÷ actual)		0.82	0.81	0.97	0.89
Judge need rounded (1.15/.6)		2	4	6	12

Option 2. Implied need using the County Court time study case weight for 3A Children & PSC cases of 272 minutes for both County Court and Separate Juvenile Court is shown in **G2a** and **G2b**. With this option, there is no change to implied need in the County Court from that shown in Exhibit 8. As this option uses the lower County Court case weight, implied need in the Separate Juvenile Court is also lower, falling by about 3.7 judicial FTE. However, the use of the rounding rule would not lead to an immediate suggested change in the current number of separate juvenile court judges. Over time, however, and assuming no significant change in actual judicial handling practices, this option would accurately estimate the number of county court judges needed, but would generally underestimate the actual judicial need in the separate juvenile courts.

G2a: County Court Implied Need using County Court 3A & PSC Case Weight of 272

		District												
		1	2	3	4	5	6	7	8	9	10	11	12	Statewide
Implied Judge Need (from model)		2.75	3.89	7.38	13.49	4.16	3.45	2.59	1.88	4.12	2.74	5.06	4.05	55.55
Actual Judges	÷	3	4	7	12	5	4	3	3	4	3	5	5	58
Workload per judge (implied ÷ actual)		0.92	0.97	1.05	1.12	0.83	0.86	0.86	0.63	1.03	0.91	1.01	0.81	0.96
Judge need rounded (1.15/.6)		3	4	7	12	5	4	3	3	4	3	5	5	58

G2b: Separate Juvenile Court Implied Need Using County Court 3A & PSC Case Weight of 272

		District			
		2	3	4	Statewide
Implied Judge Need (from model)		1.37	2.68	4.68	8.73
Actual Judges	÷	2	4	6	12
Workload per judge (implied ÷ actual)		0.69	0.67	0.78	0.73
Judge need rounded (1.15/.6)		2	4	6	12

Option 3. Implied need using the Separate Juvenile Court time study case weight for 3A Children & PSC cases of 518 minutes for both County Court and Separate Juvenile Court is shown in **G3a** and **G3b**. Use of this option leads to no change in the implied need for Separate Juvenile Court as shown in Exhibit 9. This case weight is higher than the original weight used for County Court, resulting in an increase to implied need in county court of about four judicial FTE. Once again, applying the rounding rule would not lead to an immediate suggested change in the current number of county court judges, although the implied judicial need in two districts (9th and 11th) increases to the upper threshold of the rounding rule of 1.15. Over time, however, and assuming no significant change in actual judicial handling practices, this option would accurately estimate the number of separate juvenile court judges needed, but would generally overestimate the actual judicial need in the county courts.

G3a: County Court Implied Need using Separate Juvenile Court 3A & PSC Case Weight of 518

		District												
		1	2	3	4	5	6	7	8	9	10	11	12	Statewide
Implied Judge Need (from model)		3.16	4.04	7.38	13.49	4.59	3.81	2.90	2.12	4.56	3.12	5.78	4.59	59.54
Actual Judges	÷	3	4	7	12	5	4	3	3	4	3	5	5	58
Workload per judge (implied ÷ actual)		1.05	1.01	1.05	1.12	0.92	0.95	0.97	0.71	1.14	1.04	1.16	0.92	1.03
Judge need rounded (1.15/.6)		3	4	7	12	5	4	3	3	4	3	5	5	58

G3b: Separate Juvenile Court Implied Need Using Separate Juvenile Court 3A & PSC Case Weight of 518

		District			
		2	3	4	Statewide
Implied Judge Need (from model)		1.88	3.72	6.85	12.45
Actual Judges	÷	2	4	6	12
Workload per judge (implied ÷ actual)		0.94	0.93	1.14	1.04
Judge need rounded (1.15/.6)		2	4	6	12

ADDENDUM TO FINAL REPORT

Including final case weights and implied judicial need for District Court, County Court and Separate Juvenile Court

December 2020

After receiving the "Nebraska Judicial Workload Assessment, Final Report, October 2020" the Nebraska Supreme Court put the full report out for public comment. Written comments were received from and on behalf of county court judges, attorneys who handle juvenile cases, and the Nebraska State Bar Association. All comments were carefully considered by the Supreme Court, and copies were shared with the NCSC for its additional consideration and response. **This addendum summarizes the public comments, the NCSC response to those comments, and the final decision of the Nebraska Supreme Court to accept the NCSC report and adopt the proposed case weights as modified.**

Summary of Public Comments:

The comments were generally supportive of the workload study and the new methodology used to determine judicial need, but expressed concern that different weights were proposed for the same juvenile case types depending on whether the case was heard in the county courts or the separate juvenile courts. Many comments expressed a fundamental belief that all juvenile case types should be weighted the same whether handled in a county court, or in a separate juvenile court. To achieve more uniform case weights, some suggested that an averaged case weight should be developed for all juvenile case types and applied in all courts regardless of judicial handling practices. Others suggested that using the highest recommended case weight in both types of courts would ensure that all areas of the State have sufficient judicial resources to devote appropriate time to handling juvenile cases.

The Nebraska State Bar Association generally rejected the notion that all juvenile case weights must be identical in the county courts and separate juvenile courts, reasoning "there are valid reasons why the time spent on 3A cases in these courts differ which may be related to community demographics, specialization, court culture and the difference in access to services across the state." The NSBA generally opposed lowering case weights in the separate juvenile courts, but it did support separating the time devoted to problem solving courts, and increasing the county court weight for 3(a) juvenile abuse/neglect cases from 272 minutes to 383 minutes.

Summary of NCSC Response to Public Comments:

After reviewing the public comments, the NCSC assured the Nebraska Supreme Court that the juvenile case weights proposed in its final report are empirically sound. All case weights were based on the actual time reported by judges during the month-long time study, and different weights were developed because the data show significantly different judicial handling practices in those courts, with judges in the separate juvenile courts reporting considerably more time. This actual difference in judicial handling practices is not a new phenomenon; it was observed in both prior judicial time studies, and explains why those studies also recommended a higher case weight for abuse/neglect cases in the separate juvenile courts.

While expressing confidence in the methodology and accuracy of the weights proposed in the 2020 final report, the NCSC was also supportive of making limited, policy-based adjustments to the proposed weights to address the concerns expressed during the public comment period. In considering such adjustments, the NCSC encouraged the Nebraska Supreme Court to keep in mind that a well-developed set of judicial workload standards should: (1) provide an empirically correct profile of the time actually spent by judges handling the cases; (2) account for all the time judges spend on their work (including time in chambers, travel time, administrative time, continuing education, and judicial

outreach); (3) allow sufficient time for all judges to deliver high-quality justice; and (4) be viewed as objectively credible by the judges, the practicing bar, and the public.

Nebraska Supreme Court Adopts Final Report with Modifications:

After careful consideration, the Nebraska Supreme Court voted to accept the NCSC's final report and to adopt the proposed case weights, with the following modifications:

(1) The court accepted the recommendation to count 3(a) children rather than 3(a) cases for purposes of preparing weighted caseload reports, with the caveat that this approach will be reconsidered if, in the future, uniformity in filing practices can be achieved.

(2) The Court directed that all time reported for juvenile problem solving courts should be removed from the time reported on abuse/neglect cases, and NCSC should develop a temporary weight for juvenile problem-solving court cases, pending a narrow time study of juvenile problem-solving court cases in the future. The explicit focus on juvenile problem solving court cases produces a case weight of 654 minutes. With the recent adoption of state-wide practice standards for such courts, it is expected that judicial handling practices will be uniform across the state, so the temporary weight of 654 minutes for juvenile problem-solving court cases will be applied in both county courts and separate juvenile courts.

(3) After the problem-solving court time is removed from the proposed weight for 3(a) children in the separate juvenile court, the adjusted weight is 487 minutes. The Court directs that this adjusted weight of 487 minutes will be applied to 3(a) children in both county courts and separate juvenile courts, with the expectation that all judges handling such cases will work to implement best practices, and with the caveat that this modification will be reconsidered if, in the future, judicial handling practices do not support application of a uniform weight.

(4) The Court adopts all other proposed case weights as recommended in the final report. For the sake of clarity, the Court directed the NCSC to prepare a Case-Weight Chart for inclusion in the addendum which shows the final adopted case weights for all courts.

The Nebraska Supreme Court concluded that these limited policy-based adjustments to the weighted caseload standards fairly address the important concerns expressed by the county court judges, without reducing resources in the separate juvenile courts or compromising the empirical integrity of the new judicial workload study.

The following four Exhibits show the final results from the study:

- Addendum Exhibit 1: Final Case Weights
- Addendum Exhibit 2: Final Judicial Workload and Need, District Court
- Addendum Exhibit 3: Final Judicial Workload and Need, County Court
- Addendum Exhibit 4: Final Judicial Workload and Need, Separate Juvenile Court

Addendum Exhibit 1. Final Case Weights

District Court	Final 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
Aministrative Appeals	540

County Court	Final 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: Problem Solving Court (PSC)	654
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

Separate Juvenile Court	Final Case Weight (minutes)
Adoption	49
Domestic Relations	26
Juvenile: 3A CHILDREN	487
Juvenile: Problem Solving Court (PSC)	654
Juvenile: Delinquency	136
Juvenile: Status Offender 3B	54
Juvenile: Mentally Ill and Dangerous 3C	265
Juvenile: Bridge to Independence (B21)	36
Juvenile: Interstate Compact Hearings/Filings	2

Addendum Exhibit 2. Final Judicial Workload and Need, District Court

		District												
		1	2	3	4	5	6	7	8	9	10	11	12	Statewide
Total Workload		244,056	416,957	772,490	1,893,644	275,364	252,543	182,868	120,081	347,305	168,962	348,001	311,290	5,333,561
Judicial Year Value	÷	78,480	91,560	91,560	91,560	85,020	89,380	81,750	78,480	89,380	76,300	81,750	81,750	
Implied Judge Need (from model)		3.11	4.55	8.44	20.68	3.24	2.83	2.24	1.53	3.89	2.21	4.26	3.81	60.78
Actual Judges	÷	3	4	8	16	4	3	2	2	4	2	4	4	56
Workload per judge (implied ÷ actual)		1.04	1.14	1.05	1.29	0.81	0.94	1.12	0.77	0.97	1.11	1.06	0.95	1.09
Judge need rounded (1.15/.6)		3	4	8	18	4	3	2	2	4	2	4	4	58

Addendum Exhibit 3.Final Judicial Workload and Need, County Court

		District												
		1	2	3	4	5	6	7	8	9	10	11	12	Statewide
Total Workload		246,003	339,938	671,497	1,229,131	361,236	297,101	226,823	151,369	406,925	243,353	449,496	358,368	4,981,240
Judicial Year Value	÷	78,480	85,020	91,560	91,560	78,480	78,480	78,480	71,940	89,380	78,480	78,480	78,480	
Implied Judge Need (from model)		3.13	4.00	7.33	13.42	4.60	3.79	2.89	2.10	4.55	3.10	5.73	4.57	59.22
Actual Judges	÷	3	4	7	12	5	4	3	3	4	3	5	5	58
Workload per judge (implied ÷ actual)		1.04	1.00	1.05	1.12	0.92	0.95	0.96	0.70	1.14	1.03	1.15	0.91	1.02
Judge need rounded (1.15/.6)		3	4	7	12	5	4	3	3	4	3	5	5	58

Addendum Exhibit 4. Final Judicial Workload and Need, Separate Juvenile Court

		District			
		2	3	4	Statewide
Total Workload		162,205	366,468	606,676	1,135,733
Judicial Year Value	÷	89,380	91,560	91,560	
Implied Judge Need (from model)		1.81	4.00	6.63	12.44
Actual Judges	÷	2	4	6	12
Workload per judge (implied ÷ actual)		0.91	1.00	1.10	1.04
Judge need rounded (1.15/.6)		2	4	6	12