MINUTES OF THE MEETING
OF
THE NEBRASKA JUDICIAL RESOURCES COMMISSION
February 12, 2021

A public meeting of the Nebraska Judicial Resources Commission was held on the 12th day of February, 2021, in Room 1510, State Capitol Building, in Lincoln, Nebraska, with some Commission members attending by telephone conference as provided by law.

The Chair called the meeting to order in Room 1510 at the hour of 10 a.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
Timothy Engler
Roxanne Kracl
Michael McCarthy
Robert Parker
Brian Phares
Lori Scherer
Robert Slovek
Darlene Starman
Jacqueline Tessendorf

EXCUSED
Charles Conrad
William Dittrick

ABSENT
Stephen Bader
Christopher Nielsen

On a voice vote, the minutes of the December 10, 2020 meeting were approved, with all present voting yes.

The Chair announced that the purpose of the public meeting was to determine: (1) Whether a judicial vacancy exists in the District Court of the 4th Judicial District, due to the retirement of Judge Gary B. Randall effective December 31, 2020, and if so to make a recommendation to the Supreme Court as to the primary office location of such vacancy; and (2) to determine whether a judicial vacancy exists in the District Court of the 4th Judicial District, due to the retirement of Judge James T. Gleason effective January 31, 2021, and if so to make a recommendation to the Supreme Court as to the primary office location of such vacancy.

Exhibits 1-7 were identified and received for purposes of the hearing.

The commission first took up whether a judicial vacancy exists in the District Court of the 4th Judicial District, due to the retirement of Judge Gary B. Randall. Testimony was offered in support of declaring the vacancy; there was no testimony offered in opposition to declaring a vacancy. It was moved by Robert Slovek and seconded by Darlene Starman that a vacancy be declared in the office of District Court of the 4th Judicial District, and that the primary office location should be in Omaha, Douglas County, Nebraska. Voting yes, all present. Motion unanimously carried.

The commission next took up whether a judicial vacancy exists in the District Court of the 4th Judicial District, due to the retirement of Judge James T. Gleason. Testimony was offered in support of declaring the vacancy; no testimony was offered in opposition to declaring a vacancy. It was moved by Robert Slovek and seconded by Brian Phares that a vacancy be declared in the office of District Court of the 4th Judicial District, and that the primary office location should be in Omaha, Douglas County, Nebraska. Voting yes, all present. Motion unanimously carried.

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

Respectfully submitted:

Honorable John Samson
Secretary

AGENDA
JUDICIAL RESOURCES COMMISSION

February 12, 2021 - 10 a.m.
Room 1510, State Capitol, Lincoln, Nebraska
TELEPHONE CONFERENCE MEETING

I. Roll call of members by secretary.

II. Approval of minutes from annual meeting held on December 10, 2020.

III. Whether a judicial vacancy exists in the District Court of the 4th Judicial District, due to the retirement of Judge Gary B. Randall effective December 31, 2020, and if so to make a recommendation to the Supreme Court as to the primary office location of such vacancy.

IV. Whether a judicial vacancy exists in the District Court of the 4th Judicial District, due to the retirement of Judge James T. Gleason effective January 31, 2021, and if so to make a recommendation to the Supreme Court as to the primary office location of such vacancy.

V. Adjournment.

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.

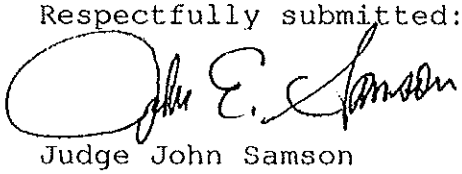
It was moved by Brian Phares and seconded by Judge Anne Paine that a vacancy be declared in the County Court of the 5th Judicial District, and that the Commission recommend a primary office location in either Aurora, Hamilton County, Nebraska or York, York County, Nebraska, at the discretion of the applicant 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

State of Nebraska
District Court of Nebraska
Fourth Judicial District

JUDGE GARY B. RANDALL
HALL OF JUSTICE
OMAHA, NEBRASKA 68183-0410
402-444-7012
FAX 402-996-8151
grandall@dc4dc.com

MARK C. BARTA
BAILIFF

SONYA M. KENNEDY, RPR, CSR
OFFICIAL COURT REPORTER

Office of the Governor
ATTN: Governor Pete Ricketts
P.O. Box 94848
Lincoln, NE 68509-4848

Dear Governor Ricketts,

It has been my pleasure to serve as a District Court Judge in Douglas County, Nebraska for twenty-three-years as of December 31, 2020.

On that date I will retire from office. I thank you and the citizens of the State of Nebraska for the opportunity to serve the public in what has been an extremely rewarding career.

Very truly yours.

BY THE COURT:

Gary B. Randall
District Court Judge

STATE OF NEBRASKA
District Court of Nebraska
FOURTH JUDICIAL DISTRICT

JUDGE JAMES T. GLEASON
HALL OF JUSTICE
OMAHA, NEBRASKA 68183
(402) 444-7008
FAX: (402) 996-8154

THERESA HOOK
BAILIFF

SHELLY CHAPMAN
COURT REPORTER

October 20, 2020

OCT 26 2020

Governor Pete Ricketts
Office of the Governor
P.O. Box 94848
Lincoln, NE 68509-4848

Dear Governor Ricketts:

I am informing you of my intent to retire from the District Court of the Fourth Judicial District effective January 31, 2021. It has been a signal honor for me to serve the people of the State of Nebraska for the last eighteen years. Retiring will be one of those bittersweet moments we all encounter.

I have been honored to serve with wonderful and talented fellow judges all over our state. I have also been privileged to have worked with outstanding bailiffs and reporters. I will enjoy retirement, but will miss those I have worked with.

My sincere thanks to the people of Nebraska for providing me the opportunity to serve their needs.

Sincerely,

James T. Gleason
James T. Gleason
District Court Judge

JTG/th

cc: Chief Justice Michael Heavican

Nebraska Judicial Branch

Weighted Caseload Report

District Courts

Reporting Period
Calendar Year 2020

January 1, 2020 to
December 31, 2020

Table of Contents

Introduction. ..... page 3

State Map Nebraska District Court Judicial Needs. ..... page 4

1st Judicial District. ..... page 5

2nd Judicial District ..... page 6

3rd Judicial District. ..... page 7

4th Judicial District ..... page 8

5th Judicial District ..... page 9

6th Judicial District ..... page 10

7th Judicial District ..... page 11

8th Judicial District ..... page 12

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

Weighted Caseload Report for Nebraska District Courts

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

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

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

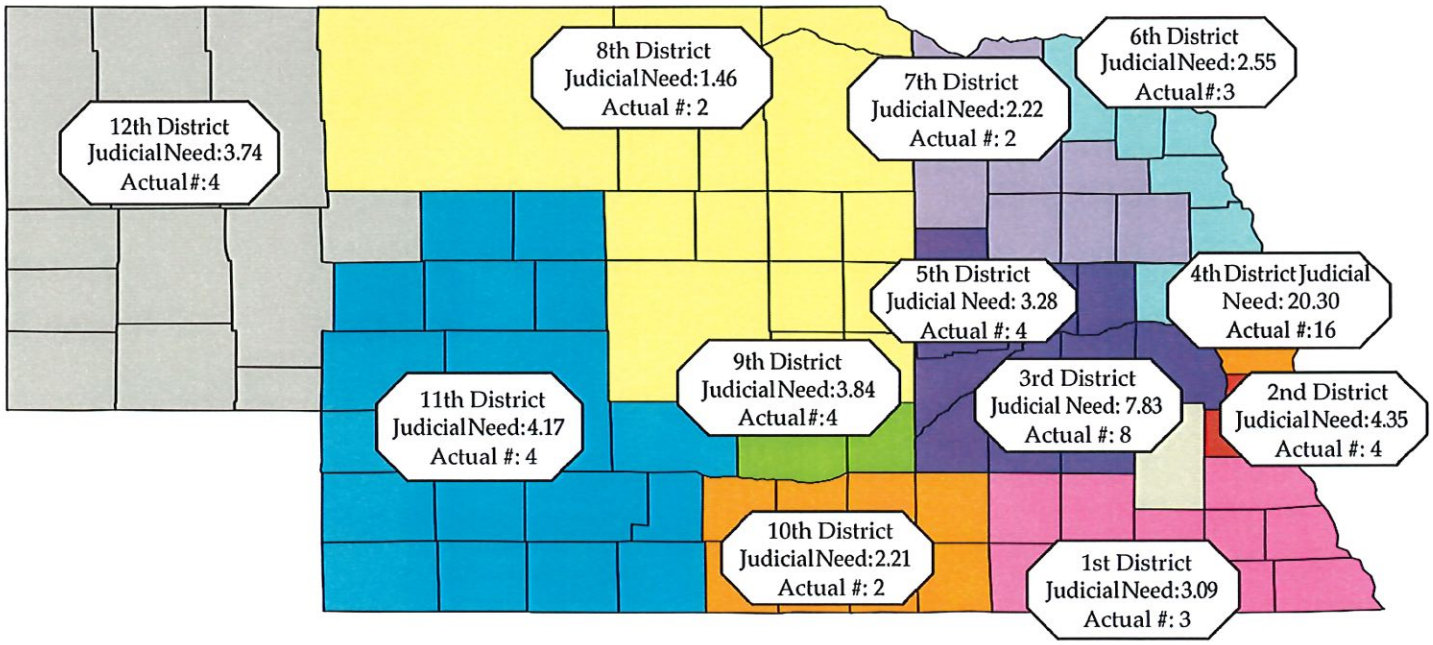
No quantitative judicial workload assessment method, including the weighted caseload method, can determine the exact number of judges needed within each judicial district. But weighted caseload statistics can approximate the number of judges needed to handle the current caseload in each judicial district. When weighted caseload statistics are examined in conjunction with other important influencing factors it provides an objective and standardized way to assess judicial need and to fairly allocate judicial resources among judicial districts.

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

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

Nebraska District Court Judicial Needs

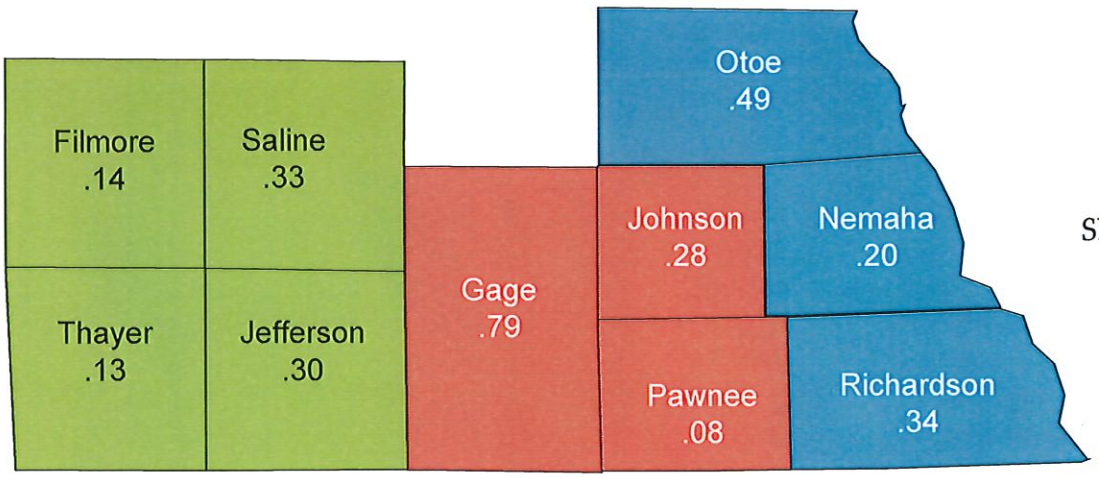
Calendar Year 2020 (January 1, 2020 – December 31, 2020)



Weighted Caseload Report
1st Judicial District - District Court

District court need for judges: 3.09
Current number of judges: 3
Workload per judge: 1.03

Predicted judicial resources need by county

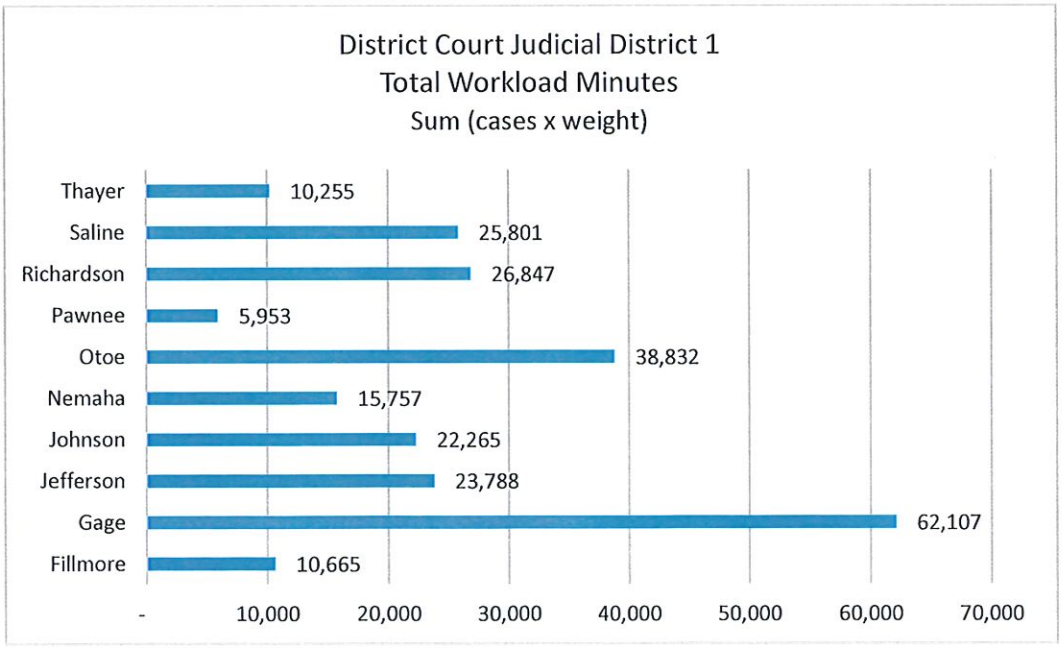


Judges Serving the 1st District District Court

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

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

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

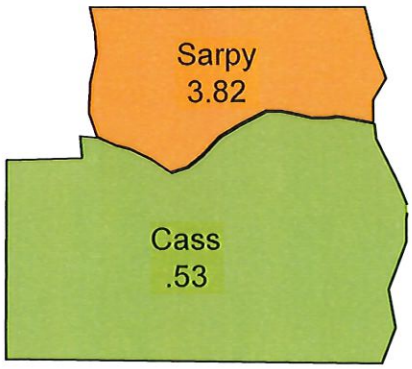


January 1, 2020 - December 31, 2020

Weighted Caseload Report
2nd Judicial District - District Court

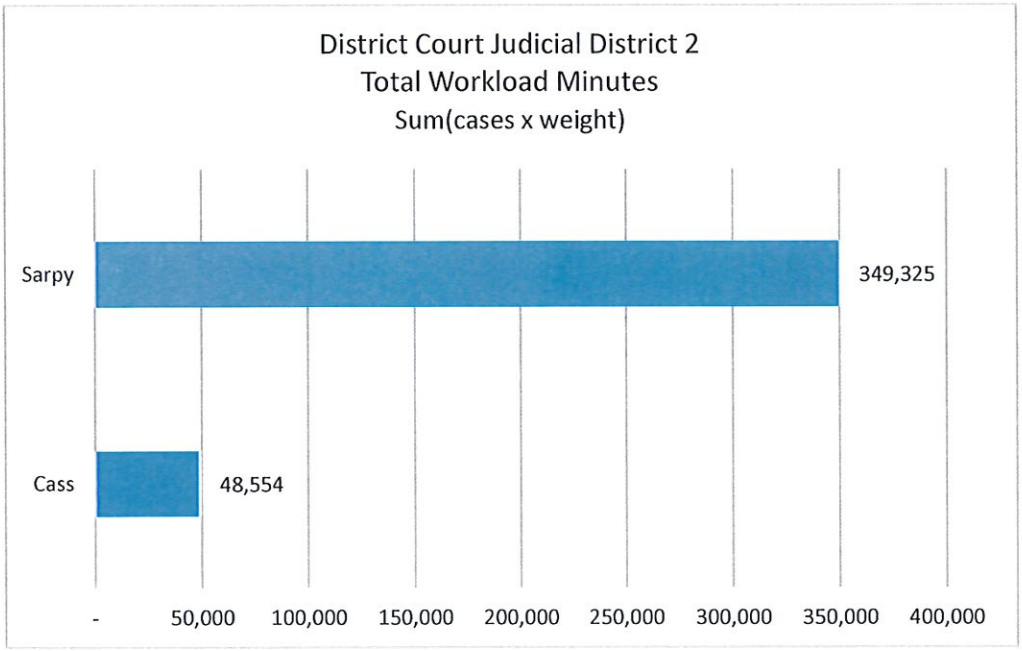
District court need for judges: 4.35
Current number of judges: 4
Workload per judge: 1.09

Predicted judicial resources need by county



Judges Serving the 2nd District District Court

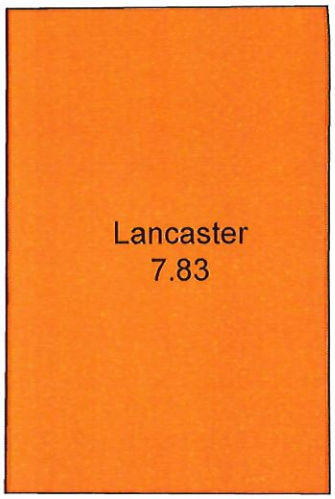
- **Martinez** Sarpy
- **Thompson** Sarpy
- **Cox** Sarpy
- **M. Smith** Cass Sarpy



Weighted Caseload Report
3rd Judicial District - District Court

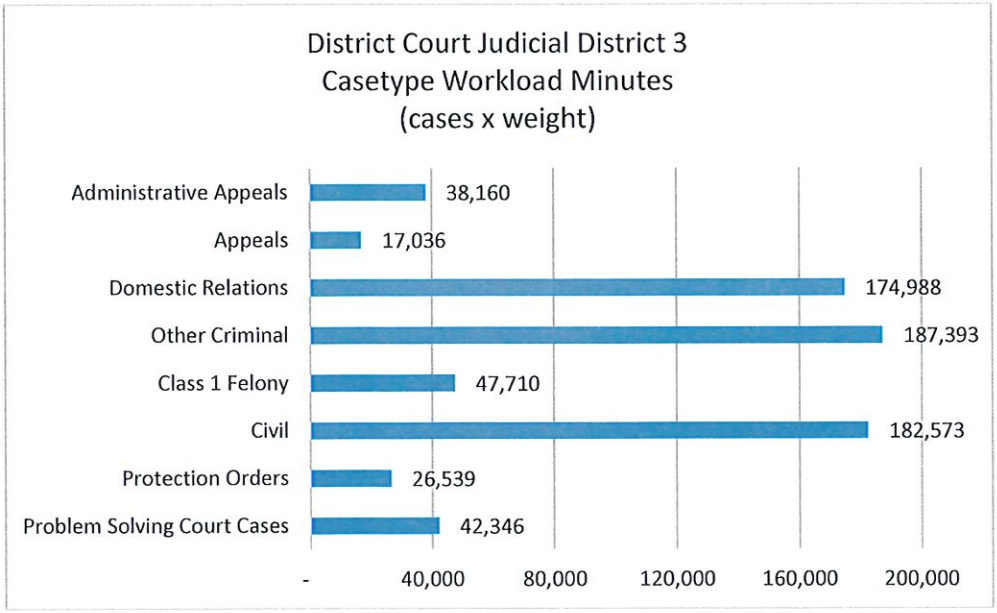
District court need for judges: 7.83
Current number of judges: 8
Workload per judge: 0.98

Predicted judicial resources need



Judges Serving the 3rd District Court

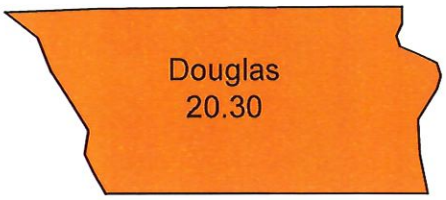
Vacant (Colborn)
Ideus
Jacobsen
Maret
McManaman
Nelson
Otte
Strong



Weighted Caseload Report
4th Judicial District - District Court

District court need for judges:	20.30
Current number of judges:	16
Workload per judge:	1.27

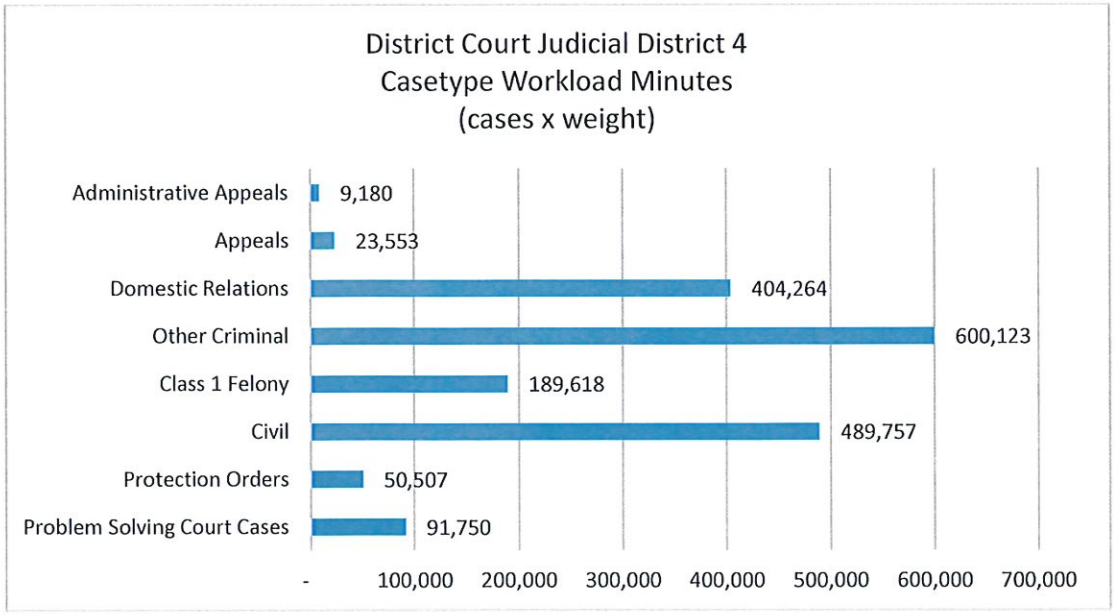
Predicted judicial resources need



Judges Serving the 4th District

District Court

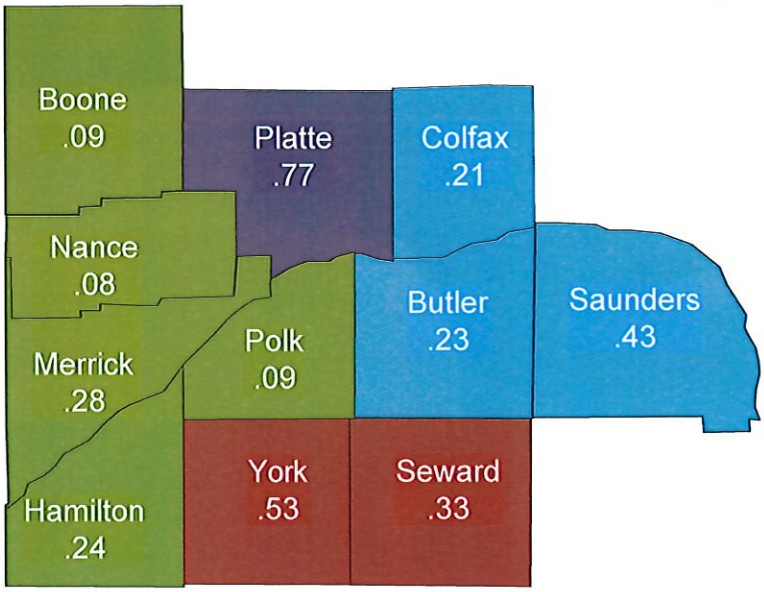
Bataillon
Bowie
Burns
Coffey
Derr
Dougherty
Gleason
Masteller
Miller Pankonin
Otepka
Polk
Vacant (Randall)
Retelsdorf
Schatz
Stratman
Wheelock



Weighted Caseload Report
5th Judicial District - District Court

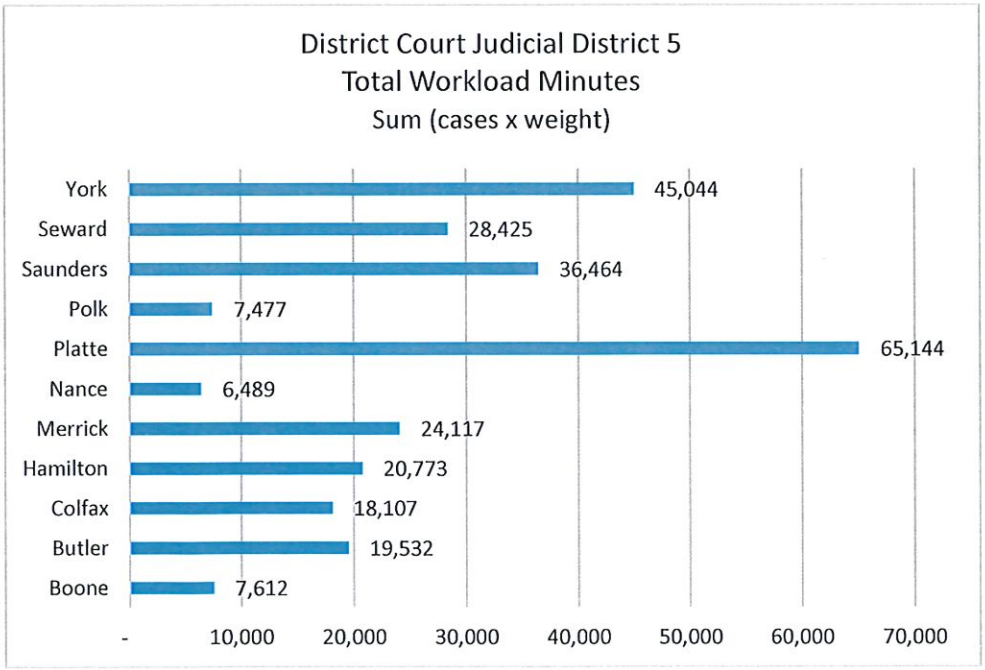
District court need for judges: 3.28
Current number of judges: 4
Workload per judge: 0.82

Predicted judicial resources need by county



Judges Serving the 5th District District Court

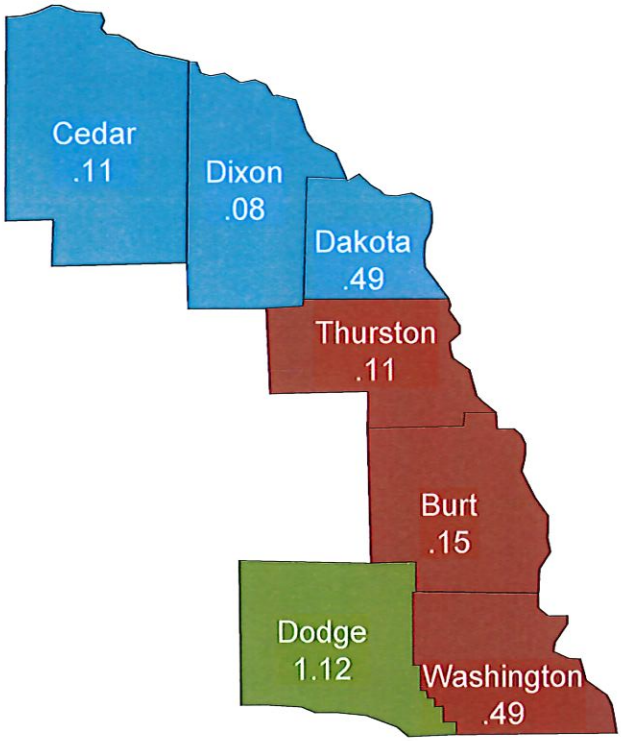
- **Marroquin**
  - Butler
  - Colfax
  - Saunders
- **Stecker**
  - Seward
  - York
- **Daugherty**
  - Boone
  - Hamilton
  - Merrick
  - Nance
  - Polk
- **Steinke**
  - Platte



Weighted Caseload Report
6th Judicial District - District Court

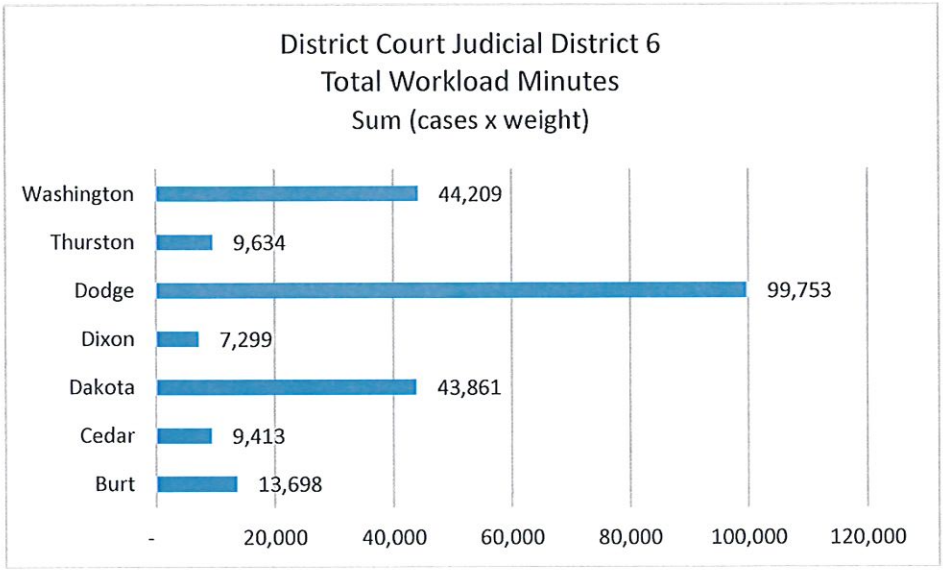
District court need for judges:	2.55
Current number of judges:	3
Workload per judge:	0.85

Predicted judicial resources need by county



Judges Serving the 6th District District Court

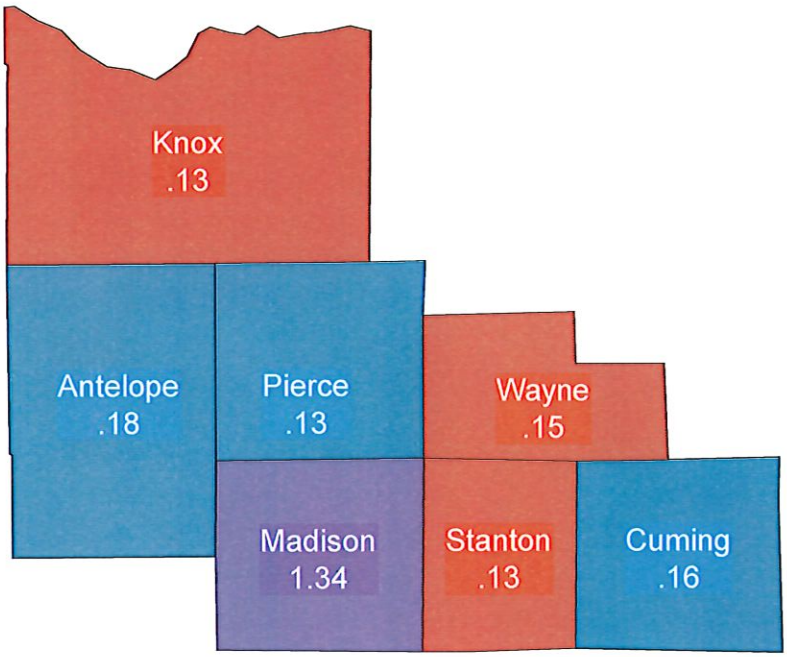
Hall
Dodge
Samson
Burt
Thurston
Washington
Meismer
Cedar
Dakota
Dixon



Weighted Caseload Report
7th Judicial District - District Court

District court need for judges:	2.22
Current number of judges:	2
Workload per judge:	1.11

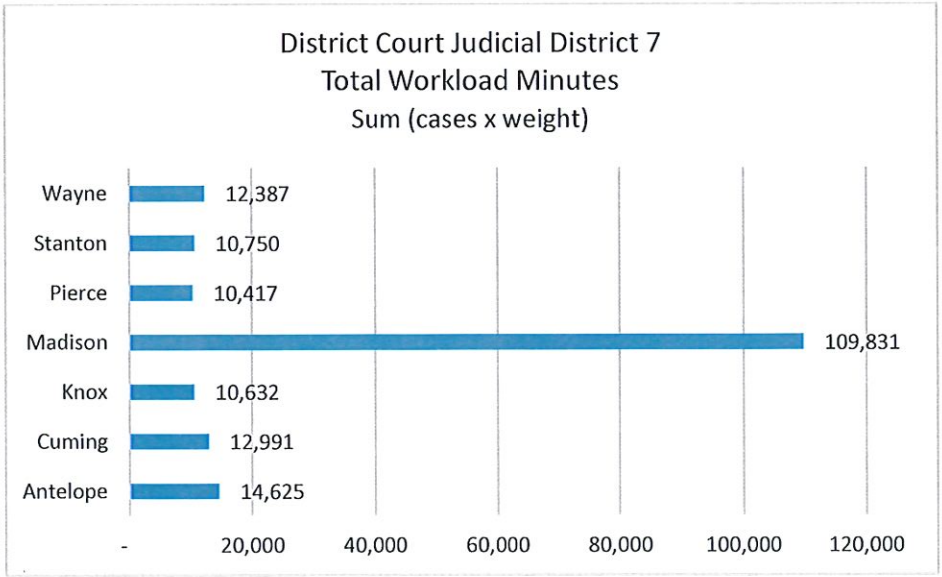
Predicted judicial resources need by county



Judges Serving the 7th District District Court

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

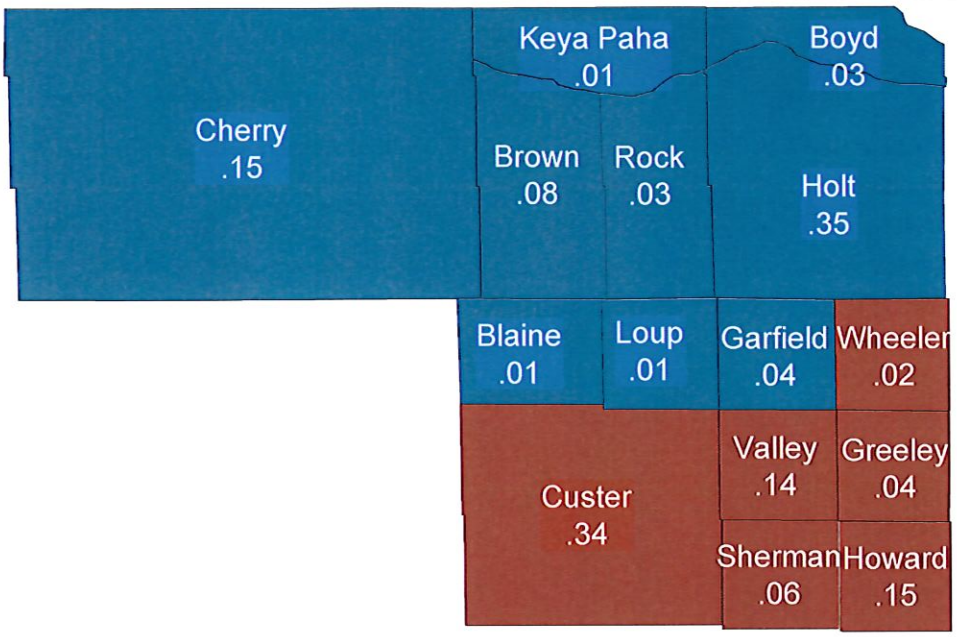
Kube
Cuming
Pierce
Madison (50%)
Wayne



Weighted Caseload Report
8th Judicial District - District Court

District court need for judges: 1.46
Current number of judges: 2
Workload per judge: 0.73

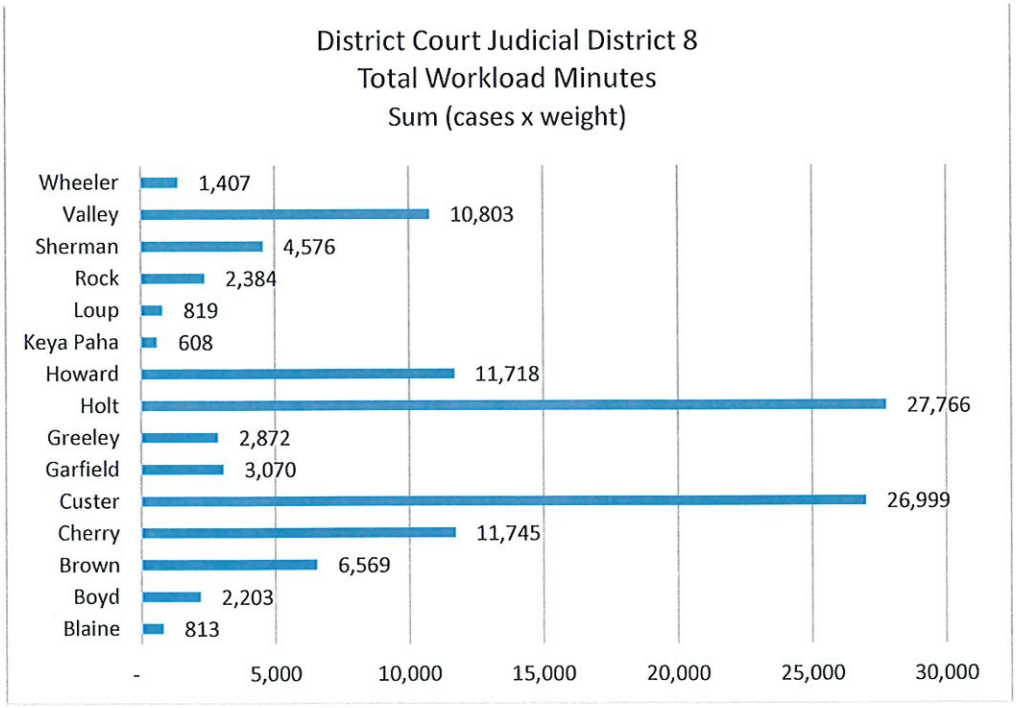
Predicted judicial resources need by county



Judges Serving the 8th District District Court

Kozisek
Blaine
Boyd
Brown
Cherry
Garfield
Holt
Keya Paha
Loup
Rock

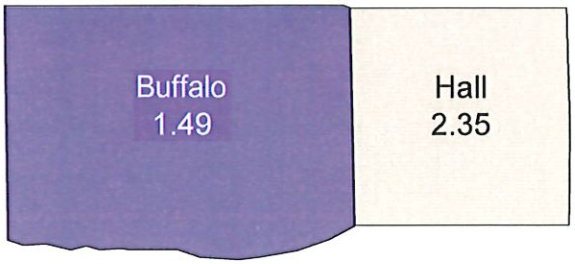
Noakes
Custer
Greeley
Howard
Sherman
Valley
Wheeler



Weighted Caseload Report
9th Judicial District - District Court

District court need for judges:	3.84
Current number of judges:	4
Workload per judge:	0.96

Predicted judicial resources need by county



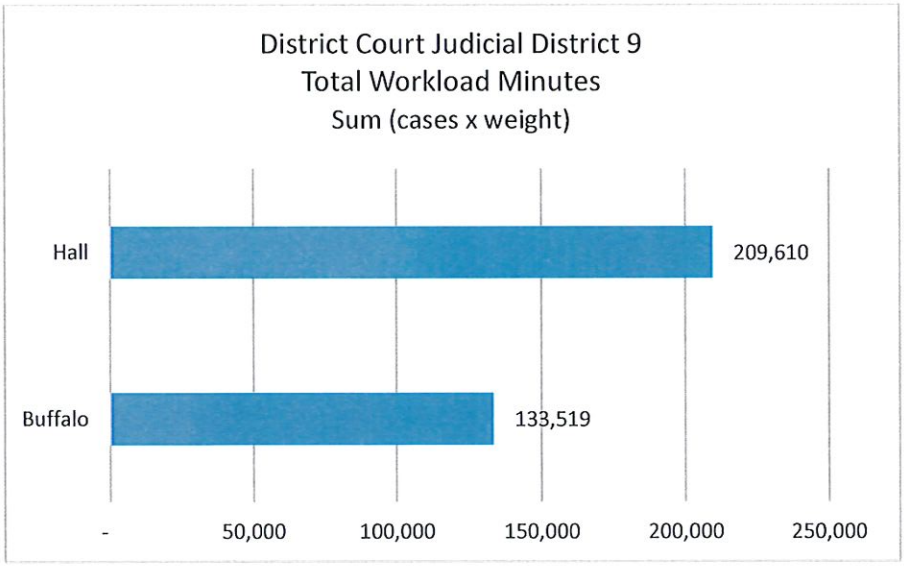
Judges Serving the 9th District District Court

Marsh
Buffalo
Hall

Carson
Buffalo
Hall

Butler
Hall

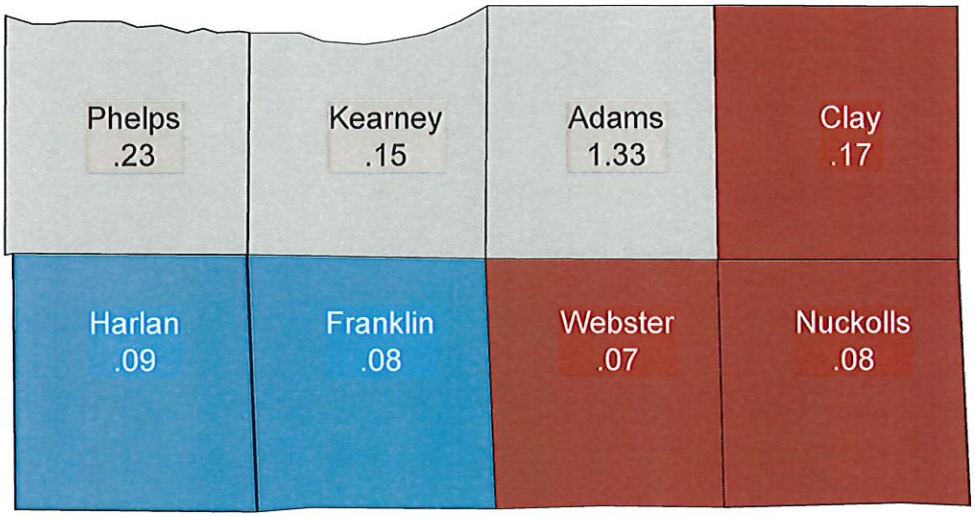
Young
Hall



Weighted Caseload Report
10th Judicial District - District Court

District court need for judges: 2.21
Current number of judges: 2
Workload per judge: 1.10

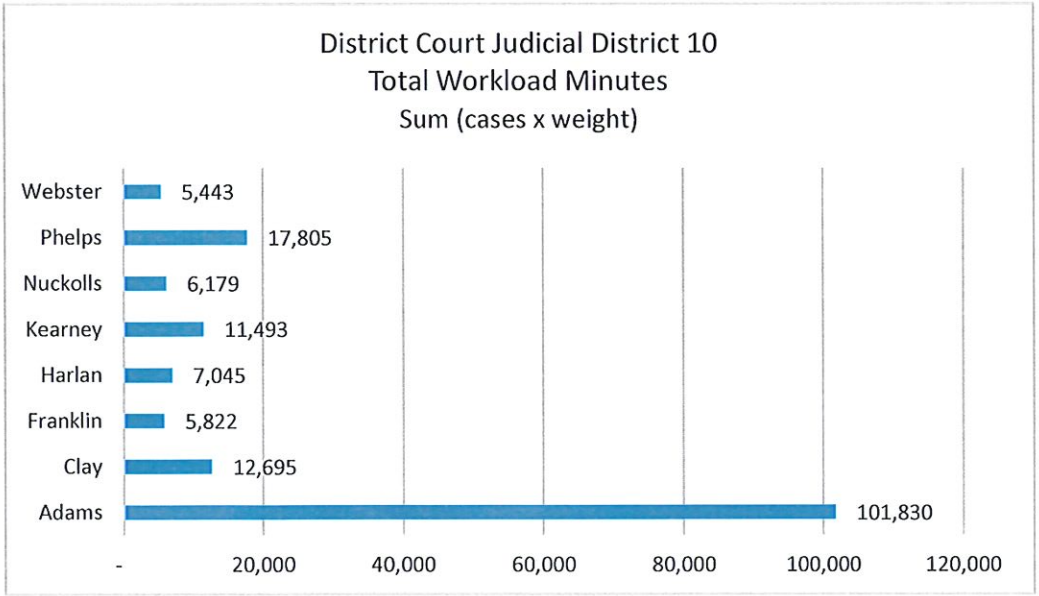
Predicted judicial resources need by county



Judges Serving the 10th District District Court

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

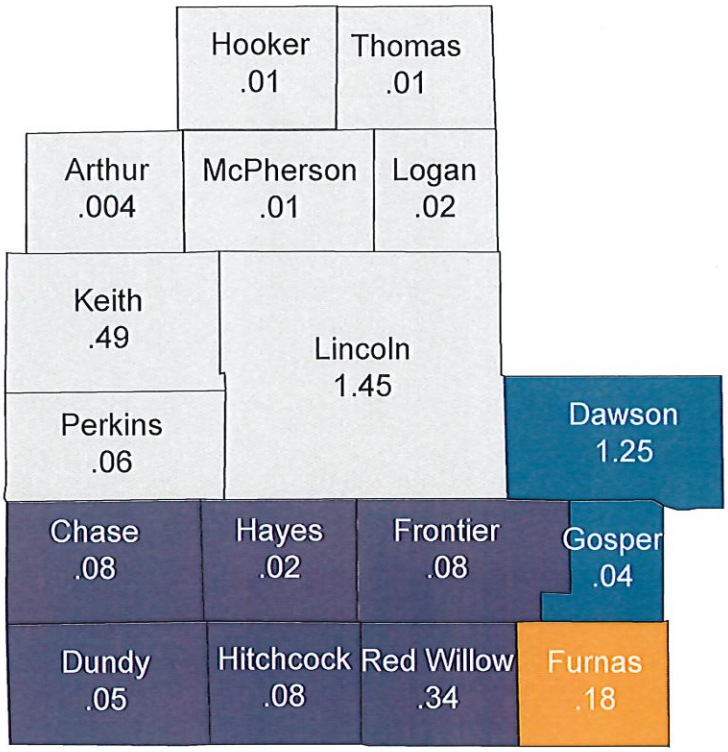
Illingworth
Clay
Nuckolls
Webster (50%)
Adams (50%)
Kearney (50%)
Phelps (50%)



Weighted Caseload Report
11th Judicial District - District Court

District court need for judges: 4.17
Current number of judges: 4
Workload per judge: 1.04

Predicted judicial resources need by county



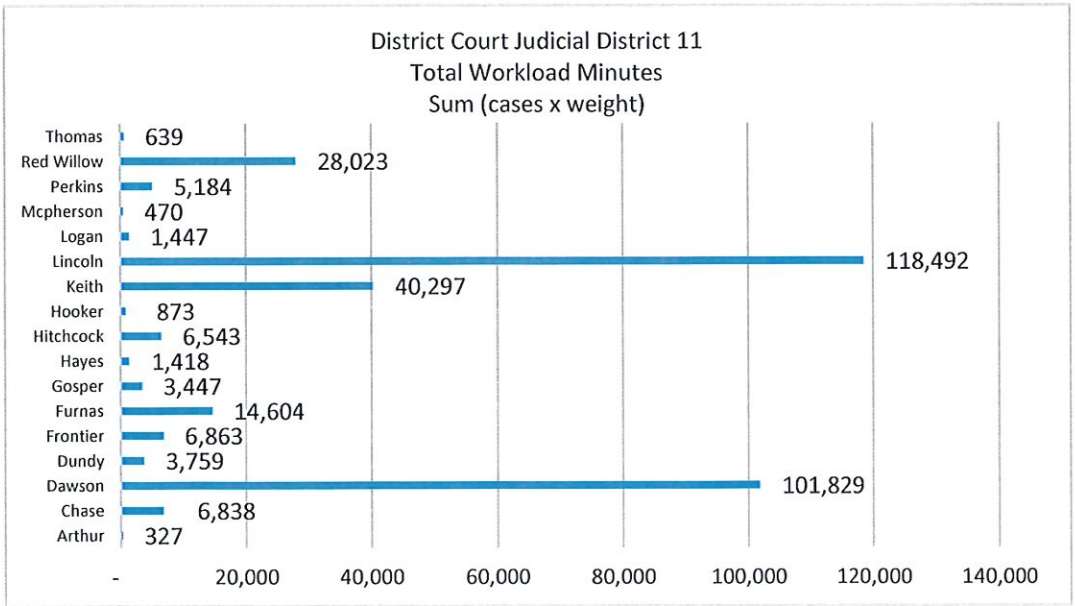
Judges Serving the 11th District District Court

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%)

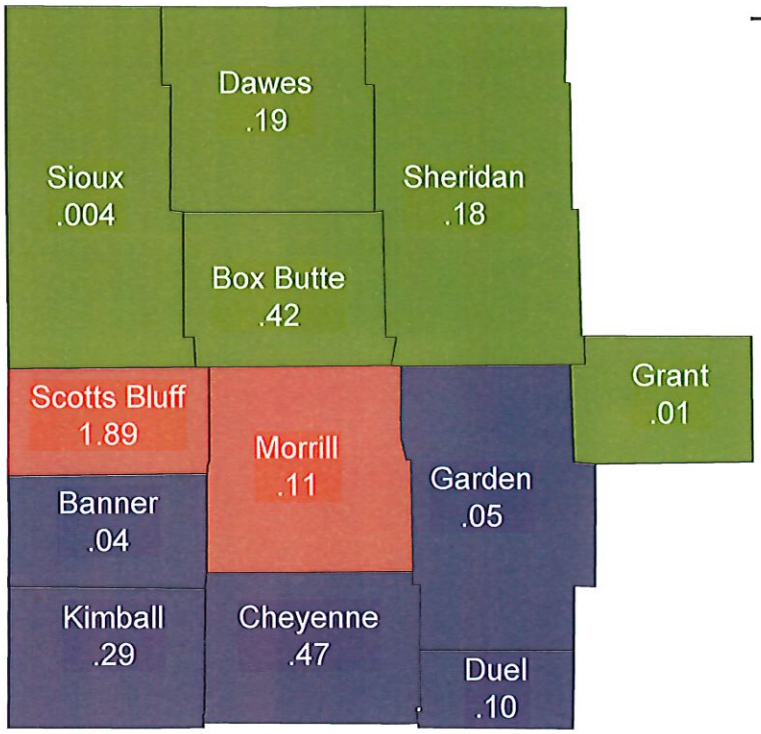
Urbom
Chase
Dundy
Frontier
Furnas (75%)
Hayes
Hitchcock
Red Willow



Weighted Caseload Report
12th Judicial District - District Court

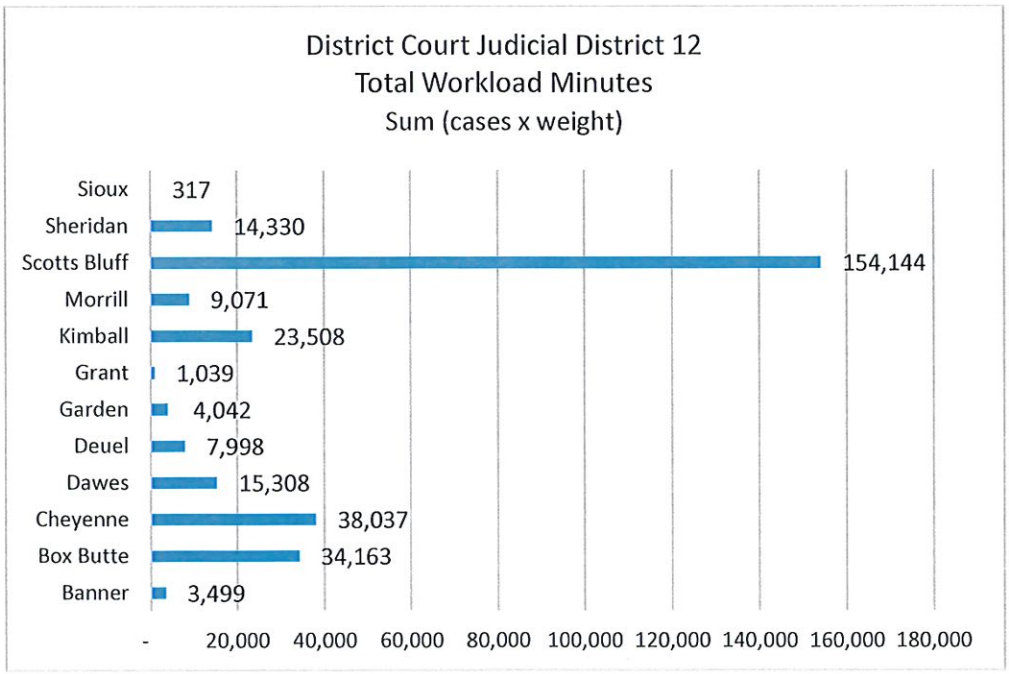
District court need for judges:	3.74
Current number of judges:	4
Workload per judge:	0.93

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

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

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

State of Nebraska
District Court of Nebraska
Fourth Judicial District

JUDGE HORACIO J. WHEELOCK
HALL OF JUSTICE
OMAHA, NEBRASKA 68183-0410
402-444-5410
FAX 402-996-8162

MIMOY BALZA
BAILIFF

DENA SCHWEITZER
COURT REPORTER

January 14, 2021

Honorable Stephanie F. Stacy, Chair
Judicial Resources Commission
State Capitol Building, Room 2219
P.O. Box 98910
Lincoln, NE 68509

Dear Justice Stacy:

On behalf of the Judges of the Fourth District Court, I am requesting that the Judicial Resources Commission determine the existence of two judicial vacancies in the District Court of the Fourth Judicial District. The vacancies are due to the retirement of Judge Gary B. Randall, effective December 31, 2020 and Judge James T. Gleason, effective January 31, 2021.

The Nebraska Unicameral passed LB 309 to increase the number of district court judges in the Fourth District from 16 to 17, beginning on July 1, 2021. The Governor approved LB 309 on May 29, 2019. The most recent Weighted Caseload Study (2019 – 2020) conducted by the AOCP concludes that the District Court of the 4th Judicial District has a need for 20.50 judges.

Therefore, the Judges of the Fourth District Court respectfully request that Judicial Resources Commission declare two judicial vacancies in the Fourth District Court at the public hearing scheduled for February 12, 2021.

I am available to address any concerns the Judicial Resources Commission may have. I can be reached at 402-444-6826.

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

Sincerely,

Horacio J. Wheelock
Presiding Judge

CC: Judge Gregory M. Schatz
Judge Timothy P. Burns
Judge Duane C. Dougherty
Judge W. Russell Bowie
Judge James T. Gleason
Judge Marlon A. Polk
Judge J. Michael Coffey
Judge Kimberly Miller Pankonin
Judge James M. Masteller
Judge Horacio J. Wheelock
Judge J Russell Derr
Judge Leigh Ann Retelsdorf
Judge Peter C. Bataillon
Judge Thomas A. Otepka
Judge Shelly R. Stratman
Douglas H. Johnson, Douglas County District Court Administrator

Nebraska District 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 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.

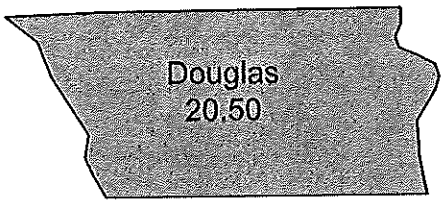
Corey R. Steel | Nebraska State Court Administrator
Nebraska Supreme Court
Administrative Office of the Courts & Probation

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

Weighted Caseload Report
4th Judicial District - District Court

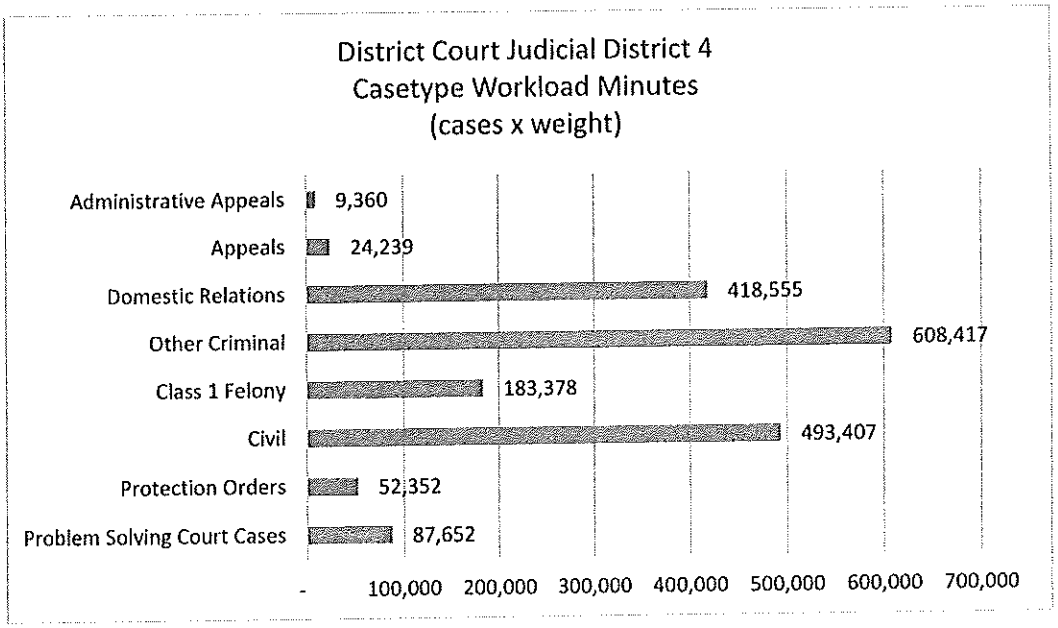
District court need for judges: 20.50
Current number of judges: 16
Workload per judge: 1.28

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



Nebraska State Bar Association

"Helping lawyers help people"

January 14, 2021

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 vacancies in the District Court of the 4th Judicial District of Douglas county, due to the retirement of Judge Gary B. Randall and Judge James T. Gleason.

The Committee met on January 14th 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 vacancies in the District Court of the 4th Judicial District be filled, with the principal office in Douglas 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 February 12th meeting.

Sincerely,

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