



2025

Chief Justice's Leadership Conference



STATE OF
NEBRASKA
JUDICIAL BRANCH

REPORTS

CHAIR/CO-CHAIRS: Justice Stephanie Stacy and Dr. Liz Neeley

STAFF ASSIGNED: Leah Cech

Mission statement or purpose for the commission/committee:

The mission of the Access to Justice Commission is to identify barriers to equal access in Nebraska and to recommend and coordinate effective solutions so that all court users have equal access to swift, fair justice.

Activities and accomplishments since the last report:

1. Phase III of Racial Equity in the Courts Initiative: In 2020, Retired Chief Justice Michael Heavican asked the Access to Justice Commission to engage the public in a discussion of racial equity and to “learn, directly from court users, what we need to do better to address racial inequity in our courtrooms and our court processes.” The Commission responded by developing a 3-phase initiative to engage court users, community leaders, judges, lawyers, court staff, and probation staff in a discussion of equity in the courts.

Phase I (completed in 2022) involved a statewide Court User Survey that measured current perceptions of access and fairness among those using our state courts. The results of that statewide survey were published in a glossy report available on the Nebraska Supreme Court website.

Phase II (completed in December 2024) consisted of focus groups held in 7 Nebraska communities. In each location, separate focus group sessions were held with community leaders and with justice system stakeholders. These were fact finding events, designed to learn about local concerns around gaps in court services, barriers to equal access, and perceptions of fairness. Common themes included concerns relating to language access and interpreters, courthouse hours and scheduling alternatives, lack of lawyers in rural communities, lack of public knowledge about available legal resources, and a desire for accurate data on court user demographics and outcomes.

Phase III is being developed now, with the assistance of a working group that is keenly focused on reimagining what public engagement looks like. Instead of traditional arena-style public engagement sessions, the working group is planning to engage court users in a way that seeks continual feedback and builds public trust by addressing the concerns we learned about in Phases I and II. The focus will be two-fold: (1) we will develop an on-line survey to solicit continuous feedback and monitor perceptions of access and fairness among court users statewide; and (2) we will develop bite-size, social-media-friendly education and resources that directly address the challenges identified in Phases I and II and facilitate engagement between court users and local judges and court staff. The plan is that the A2J Commission, with the assistance of the AOCP, will develop the educational content and provide it to local judges and court staff who can then share that content in their respective communities on a monthly basis.

2. Nebraska's Ranking on A2J Index: The National Center for Access to Justice (NCAJ) has an A2J Justice Rating Index that examines the policies and A2J resources in each state aimed at ensuring self-represented litigants are provided with equal access to the courts. After learning that Nebraska is ranked the lowest among the midwestern states, we drilled down on the reported source data for the NCAJ index and determined that Nebraska's current ranking is based on a significant amount of incorrect and outdated data about the resources and policies in place in Nebraska. Our A2J Commission leaders have prioritized providing the NCAJ with current data, and we expect Nebraska's ranking to significantly improve when this index is next published.

3. Communication Access for Court Users with Hearing Loss: The A2J Commission continues to monitor and work on several initiatives focused on improving communication access for court users with hearing loss and ensuring ADA compliance in our courtrooms and court processes. A2J Commission leaders will be meeting with the new Executive Director of the Nebraska Commission for the Deaf and Hard of Hearing to share information about these initiatives, which include assistive listening technology in courtrooms statewide, piloting talk-to-text captioning in courtrooms, and addressing the shortage of American Sign Language interpreters.

4. JUSTICE Access Initiative in Libraries: In October of 2024, a working group of the Access to Justice Commission launched a six-month pilot program that will allow free public access to JUSTICE and SCCALES from designated desktop computers located in the law libraries of both Nebraska law schools. Both law libraries are open to the public, and library staff will be available to support patrons with expanded access to JUSTICE and SCCALES. Monthly usage data is being collected and will be evaluated by the working group, who will consider the feasibility of expanding the pilot program to other public libraries across the state.

5. Coordination of Projects with Standing Committee Chairs: For the second year, the A2J Commission Chairs have held one-on-one planning meetings with the chairs of each standing committee during the first quarter of the year to discuss priority projects. These meetings have produced increased alignment with the A2J Strategic Plan and more opportunities for support and collaboration.

Emerging issues or challenges:

1. Continued difficulty collecting and evaluating accurate data on court users and court outcomes, which is necessary to support evidence-based recommendations and to monitor the impact of A2J initiatives.
2. Funding for A2J initiatives.
3. Ensuring that the work of the A2J Commission remains court-focused and is politically neutral.

CHAIR/CO-CHAIRS: Judge Stefanie Martinez

STAFF ASSIGNED: Leah Cech

Mission statement or purpose for the commission/committee:

The Committee on Equity and Fairness recognizes that a person's diversity status (e.g., race, ethnicity, gender, disability, English language proficiency, immigration status) can be a barrier to accessing Nebraska's courts and related programs and processes. A primary interest and focus of the Access to Justice Commission's Standing Committee on Equity and Fairness is to: Identify and address barriers to accessing the courts and related court programs, and - Continue efforts to ensure fairness in matters related to accessing court in Nebraska.

Activities and accomplishments since the last report:

- In Forma Pauperis Project: Referee Fowler and her committee have completed the work to updates the court rules, statutes and statewide forms. They have presented to various stakeholder groups including the District and County judges and have incorporated their feedback. A memo is currently being drafted explaining their work and recommendations which will be presented to the Access to Justice Commission as a whole at their next meeting.
- Proposed Implicit Bias optional jury instruction: Judge Strong and Judge Carson researched and drafted an optional instruction for trial judges to use. Judge Martinez presented the final draft of the proposed instruction to various stakeholders including NSBA House of Delegates, Nebraska Criminal Defense Attorneys Association and the Nebraska County Attorneys Association. A letter explaining the proposal has been drafted and sent to the Supreme Court with a request to forward the instruction to the Supreme Court Committee on Practice and Procedure for review.

Emerging issues or challenges:

- Recognize different limitations facing court users when accessing the courthouse for hearings or other business.
- How to maintain fairness in the courts with continuous updates to language and terminology used.
- Being proactive in learning about technologies, such as Artificial Intelligence, that could enhance equity and fairness for all court users statewide.

CHAIR/CO-CHAIRS: Judge Andrea Miller and Judge Thayne Glenn

STAFF ASSIGNED: Leah Cech

Mission statement or purpose for the commission/committee:

The consortium was proposed to improve the working relationship between the tribal, state, and federal courts and to improve the public's trust and confidence in the various court systems with the ultimate goal of improving access to justice for all court users in Nebraska.

Activities and accomplishments since the last report:

- The Consortium is reevaluating the make up of the Consortium and the purpose of the Consortium. There has been a decline in involvement by the Consortium members. Due to the decline in involvement of the Consortium members, actions and activities have focused on discussions regarding ways to regain membership involvement.
- Discussion regarding recognition of Tribal Emergency Protection Orders: Discuss strategies for helping courts work together to recognize and enforce EPO's issued by tribal courts.
- Nebraska ICWA Education Series released by the Court Improvement Project (CIP) and the Nebraska Indian Child Welfare Coalition (NICWC): 10-part series released to promote Nebraska IWCA education for court users, judges and DHHS officials.
- Further consultation with Judge Thorne to advance the membership involvement.

Emerging issues or challenges:

- The top issue confronting the Consortium is the reengagement of the tribal court judges within the Consortium to promote better collaboration between the state trial courts and the tribal courts.

SELF-REPRESENTED LITIGATION COMMITTEE

CHAIR/CO-CHAIRS: Judge Rachel Daugherty and Judge Stephanie Shearer

STAFF ASSIGNED: Leah Cech

Mission statement or purpose for the commission/committee:

To engage in continuing analysis and study of the challenges which self-represented litigation poses for court staff, the judiciary, and the practicing bar; to continue assessment of the challenges to the right of self-representation which the judicial system currently presents; to propose solutions or improvements in response to such challenges to the Nebraska Supreme Court; and to implement the recommendations of the Self-Represented Litigation Committee which the Nebraska Supreme Court approves.

Activities and accomplishments since the last report:

The number of self-represented litigants (SRL) using the courts and accessing self-help resources has increased and will continue to increase. Therefore, the SRL Committee continues to focus its efforts on evaluating how Nebraska courts can be responsive to the needs of one of our largest populations of court users. Currently the SRL Committee is working on implementing plain language, making legal information more readily accessible and easily understood, and expanding services to assist SRLs. Current initiatives include:

- Collaborating with the AOC, Douglas County trial courts and administrators, and legal assistant partners on implementing a Self-Help Center pilot in the Douglas County courthouse. A grant was received by the State Justice Institute in June 2024. The grant funds are being utilized to establish the infrastructure for the Self-Help Center pilot in Douglas County with hopes to expand its service area to more rural counties via electronic means.
- Revising the Self-Help pages on the website to make them more accessible and easier to navigate.
- State Courts, which includes proposing plain language revisions to SRL resources and court forms.
- Preparing proposal for evaluation and implementation of a court navigator program to assist SRLs.
- Planning and developing a prototype for a Court Navigator Program in Hamilton and York Counties.

Emerging issues or challenges:

- Availability of same or similar access to resources for SRLs in communities outside Nebraska's more populated communities.
- Availability of technology and technology support necessary for SRLs to access the courts (e.g., remote hearings, e-filing).

SELF-REPRESENTED LITIGATION COMMITTEE

- Identifying data regarding SRL litigants through the Justice program and through in-person surveys to improve efficiency and timeliness of SRL litigation and to increase confidence of SRL participants in the Courts.

COMMITTEE: PEOPLE Committee (Bench Media plus Civics Education)

CHAIR: Chief Justice Jeffrey Funke

CO-CHAIRS: Judge Leigh Ann Retelsdorf and Judge Todd Hutton

STAFF ASSIGNED: Janet Bancroft, Public Information Officer

Mission statement or purpose for the commission/committee:

- PEOPLE Committee

The purpose of the PEOPLE (Public Education Outreach Promoting the Law & Equity) Committee is to proactively inform and educate the public, including students, adults, and members of news media, about the legal system. Under the PEOPLE umbrella are two committees: Civics Education and Bench Media. The design is to provide education/services to teachers in order to educate students and to provide the same to the traditional media in order to educate the adult public. The committee is housed at the Nebraska State Bar Foundation.

Activities and accomplishments since the last report:

1. Code of Judicial Conduct

Submission of proposed amendments to Neb. Rev. Code of Judicial Conduct § 5-302.10, entitled “Judicial statements on pending and impending cases,” would add language to the “Comment” section to clarify the authority for judges to publicly comment on cases. Comment period end May 1, 2025.

2. Judicial Discussion of Nebraska’s Code of Judicial Conduct

Judicial Branch Education sponsored a judicial education session at the fall 2024 meeting featuring David Sachar, Director of Judicial Ethics Education at the National Center for State Courts, to discuss the current status of Nebraska’s rule on speaking about pending cases, the outdated ethics advisory opinion, and future changes to the code’s comment section (see above)

3. Meeting face-to-face with local journalists

Continued relaunch of the Brown Bag Media Court Visit program in 2025 included:

- Omaha Bench Media brown-bag lunch
- Roundtable Lunch with Journalists and Judicial Branch Administrators together with the Bench Media Committee

Originating in 2017, the program offers local journalists an immersive experience within the court and probation systems, fostering a deeper understanding of trial court operations.

Emerging issues or challenges:

- *In response to the shrinking number of news outlets in Nebraska and the decline of experienced reporters with an expertise in courts, the Judicial Branch must take a more proactive role in telling its own story—providing accurate, accessible information and building direct relationships with the public and media.*

A. Story Standards and Submissions *(from admin level)*

The Judicial Branch posts "Recent News" stories on its website, which also feeds the internal newsletter and serves as an archive. Occasionally, these stories are picked up by news aggregators (a service that collects and presents news articles and other content from various sources). However, many submissions are crowd-sourced from administrative offices and lack journalistic quality. Staff submitting articles need basic training in story structure and journalism-style writing.

B. Media Interview Training *(from admin level)*

As more news outlets request interviews with Judicial Branch subject matter experts (e.g., individuals to run programs for domestic violence, probation), there is a growing need for training on how to handle media interviews. Employees should understand what can and cannot be said in interviews, and administration should work to increase staff confidence and preparedness.

- *Ongoing generational turnover among judges and clerks is creating challenges in continuity and institutional knowledge, underscoring the need for consistent, long-term training to ensure procedural accuracy and effective public communication across the Judicial Branch.*

A. Media Access and Staff Turnover

High turnover among judges and staff is impacting media relations. For example, news reporters indicate some clerks are not properly adding media as "interested parties" in case filings and are not confident in applying expanded media rules. Newer judges are said to be misapplying standards when denying camera access. Consistent training and communication are needed to address these issues.

COMMISSION: Commission on Children in the Courts

CHAIR/CO-CHAIRS: Judge Francie Riedmann and Judge Roger Heideman

THROUGH THE EYES OF THE CHILD INITIATIVE CO-CHAIRS: Judge Roger Heideman and Judge Randin Roland

STAFF ASSIGNED: Deb VanDyke- Ries, Court Improvement Project Director

Mission statement or purpose for the commission/committee:

The Supreme Court Commission on Children in the Courts, created in 2005, consists of judges, lawyers, representatives of the legislative and executive branches, and children’s advocates. Its charge is to study systemic issues and make recommendations to the Supreme Court to ensure that the court system is as responsive as possible for children who interact with or are directly affected by the courts. With diversity in membership, the Commission provides an opportunity for issue spotting and problem solving. Judicial leadership of subcommittees encourages partners to come to the table to identify solutions, whether it be practice change, identifying and using data to inform process, or Supreme Court rule.

Activities and accomplishments since the last report:

1. National Center for State Courts Upstream Community Mapping conducted in Cheyenne and Jefferson counties. Three mappings, including Red Will County, have been conducted in the state since 2024.

2. Safe and Together Core domestic violence training conducted in Hall County with 36 participants. This training aligns with the NCJFCJ pilot site goals, to improve response for domestic violence survivors and children in Juvenile Court.

3. Standards for guardian ad litem for parents in Juvenile Court drafted by the GAL subcommittee and will be presented to the Commission in June.

4. Local, regional, and state level cross-systems education.

- Through the Eyes of the Child teams hosted multidisciplinary educational sessions to deepen understanding of roles and responsibilities and build relationships. Three counties, Dodge, Dakota, and Otoe have or will host education.
- In October 2024 regional education was held in Omaha and Bridgeport, to increase collaboration between court stakeholders and education professionals.
- Planning is underway for the September 2025 Children’s Summit, a multi-day conference for all juvenile court stakeholders to encourage cross system collaboration.

5. Judicial and legal engagement with the federal Child and Family Service Review (CFSR). The CFSR reviews the child welfare and judicial system measuring compliance with federal benchmarks, highlighting strengths and items needing improvement. Judges have been involved

with the CFSR advisory group, will participate in stakeholder interviews, and engage in root cause analysis and solution development.

Emerging issues or challenges:

- Medicaid claw backs from therapist audits may have a chilling effect on service providers, especially in the rural and frontier parts of the state.
- Legislative priorities moving toward punitive responses to delinquency.

CHAIR/CO-CHAIRS: Judge Francie Riedmann and Judge Holly Parsley

STAFF ASSIGNED: Sara Fowler, Trial Court Services Director of County Court

Mission statement or purpose for the commission/committee:

To engage in continuing analysis and study of statutes, court rules, and court procedures relating to guardianships and conservatorships; to examine the challenges these laws and procedures pose for court staff, the judiciary, the practicing bar, vulnerable adults and children and their legal guardians and conservators, and other professionals and service providers working with protected persons and wards; to propose solutions or improvements both within and without the judicial branch in response to such challenges; and to support the implementation of the recommendations of the Commission which the Nebraska Supreme Court approves.

Activities and accomplishments since the last report:

1. Drafted LB453 for the Nebraska State Patrol to obtain National Criminal Background Checks on potential guardians when applying for guardianship.
2. Created a legislative subcommittee to help draft legislative changes.
3. Provide support for the two pilot projects that the Office of Public Guardian has ongoing to help support and recruit guardians.
4. The Rules and Forms Subcommittee is examining ways to simplify reporting requirements for guardians.
5. Discussion about creating a compliance document for the banking industry to help with understanding guardian/conservator reporting requirements and the possibility of developing short videos with this information.

Emerging issues or challenges:

- Barriers in the Banking Industry for guardians to comply with reporting requirements.
- Inadequate background checks being performed on potential guardians.
- The guardianship reporting process is complicated for guardians and serves as a barrier to recruiting volunteers to be guardians.
- The Case Management System needs to be updated in order to better track Guardian/Conservator cases to ensure proper administration.

COMMITTEE ON PROBLEM-SOLVING COURTS

CHAIR/CO-CHAIRS: Chief Justice Jeffrey Funke and Justice Jason Bergevin
STAFF ASSIGNED: Adam Jorgensen, Statewide Problem-Solving Court Director

Mission statement or purpose for the commission/committee:

The purpose of the committee will be to evaluate the feasibility of implementing "drug courts" or other similar "community courts" in Nebraska. The committee will advise the Supreme Court as to whether such courts would have a positive effect on the administration of justice in the State and, if so, to provide the Court with recommendations as to the structure and integration of such courts into our judicial system.

Activities and accomplishments since the last report:

1. Problem-Solving Court Summit – The 2020-2025 Strategic Plan for Nebraska Problem-Solving Courts identified Problem-Solving Court growth, expansion, and the relationships of interested parties as focus areas that are critical for the continued success of Nebraska Problem-Solving Courts. To examine these issues, a workgroup of approximately 30 interested parties was formed. The workgroup was comprised of representatives from the core disciplines of a Problem-Solving Court Team. Through the Summit, four priority focus areas were established, and final recommendations were sent to the Nebraska Supreme Court.

2. 2024 Problem-Solving Court Education Event – In September 2024, a one-day education event was provided in LaVista for all Problem-Solving Court Team Members. In line with Best Practice Standards and Nebraska Supreme Court Rules, the Education Event provided education opportunities facilitated by national experts to nearly 300 Nebraska PSC Team Members.

3. 2025 Problem-Solving Court Judicial Education Event – In partnership with AllRise, Nebraska hosted a Problem-Solving Court Judicial Education Event in April 2025. The event was attended by 31 Nebraska Judges who either preside over a Problem-Solving Court or were interested in becoming more engaged in Nebraska Problem-Solving Courts. The Judicial Education Event aligned with Best Practice Standards and Nebraska Supreme Court Rules.

4. 2026-2030 Problem-Solving Court Strategic Planning – Nebraska secured technical assistance from the National Center for State Courts to develop a five-year strategic plan identifying priorities for Nebraska Problem-Solving Courts and create accompanying one-year operational plans that outline the day-to-day work that will occur to begin achieving the identified strategic priorities. Surveys and focus groups will be created to gather input on the strengths, challenges, opportunities, and threats for Problem-Solving Courts in Nebraska from internal and external stakeholders. In the Summer of 2025, the National Center for State Courts will Facilitate a 1 – 1 ½ day onsite meeting to identify the strategic priorities.

5. Problem-Solving Court Subcommittees and Workgroups – At the direction of the Supreme Court Committee on Problem-Solving Courts, and the Nebraska Supreme Court, multiple Workgroups and Subcommittees have been formed to explore and propose solutions to identified challenges in Nebraska Problem-Solving Courts. Issues currently being explored include

termination, eligibility, transfers, building community support, Problem-Solving Court operations, funding, and other Problem-Solving Court related issues.

Emerging issues or challenges:

- Problem-Solving Court Access and Expansion
- Judicial Resources
- Stakeholder Support

CHAIR/CO-CHAIRS: Judge Mike Pirtle, Chair and Judge Randin Roland, Vice Chair

STAFF ASSIGNED: Kelly Riley

Mission statement or purpose for the commission/committee:

Per Neb. Rev. Stat. § 25-2907 (1), “[t]he council shall advise the director on the administration of the Dispute Resolution Act.” In this role, the council reviews quarterly reports from the approved mediation centers and Douglas County District Court’s Conciliation & Mediation program; conducts an annual review of the mediation centers and makes a recommendation to the State Court Administrator regarding approval status of each center; provides input and feedback on policies and makes recommendations to the State Court Administrator; and handles appeals of grievances of Parenting Act mediators and approved center affiliated mediators and restorative justice facilitators.

Activities and accomplishments since the last report:

1. **Mediation Center Stability.** Enhancing the sustainability of approved centers is a statutory duty of the director (§25-2908(11)). Providing financial and programmatic oversight by the director and the council allows the director to offer additional and targeted support as necessary. Five of the six centers have maintained consistent and effective leadership for multiple years; one center has installed new leadership. All six centers received a clean audit and ended their fiscal year with a positive bottom line.
2. **Services Provided to the Courts.** As noted in the legislative findings of the Dispute Resolution Act, § 25-2902 (10), “[m]ediation can increase the public’s access to dispute resolution and thereby increase public regard and usage of the legal system.” The AOCP continues to contract with approved centers for court connected cases, including:
 - Court Connected Child welfare facilitations (pre-hearing conferences at initial removal, pre-hearing permanency review conferences (PHPR), pre-hearing termination of parental rights conferences (PHTPR), family group conferences (FGC), mediation, facilitation)
 - Pre-adjudicated juvenile justice facilitations (victim youth conferences (VYC), truancy, mediation, facilitation)
 - Small claims mediation
3. **Upstream Youth Restorative Justice Through DOJ’s Office of Juvenile Justice and Delinquency Prevention (OJJDP) Grant.** We are in our fourth and final year of this grant that focuses providing restorative conferencing to youth prior to justice involvement. At the conclusion of the grant, an external evaluation of case data will be published as well as research into understanding the perceptions related to restorative practices. The grant has allowed centers to develop new relationships with schools and provide services as soon as students exhibit excessive absenteeism (e.g., at five days). A conference facilitated by a

center allows the school, student, and student's family to proactively understand what is leading to the absences and develop a collaborative plan to address the root cause.

4. **Sarpy County District Court Parenting Coordination Pilot.** Through the work of the Supreme Court Commission on Children in the Courts' Subcommittee on High Conflict Cases in District Court that ODR is assigned to as staff, a pilot program is being developed to explore the use of parenting coordination, an alternative dispute resolution process. This pilot affords parents an opportunity for assistance when there is recurring contact with the courts regarding implementation of a parenting plan due to ongoing parental conflict. Through the parenting coordination process, a goal is for parents to learn skills that equip them to handle future disagreements and, ultimately, reduce their child's exposure to harmful parental conflict.
5. **Judicial District 9 Parenting Plan Review Pilot.** Stemming from the Chief Justice's Leadership Academy, a pilot program is being developed in which ODR will review parenting plans for Parenting Act compliance based upon a rubric. After a plan has been reviewed, ODR will submit a parenting plan and disposition to the bailiff and clerk of the district court. The goals of this pilot program are to require proposed parenting plans be completed and submitted prior to scheduling a final hearing, increase pretrial resolution of custody matters, and to ensure compliance with the Parenting Act. Education of the local bar and bailiffs occurs in April and the pilot starts on June 2, 2025.

Emerging issues or challenges:

1. **Accessibility to Court Ordered Mediation Balanced with Sustainability of Centers.** The community mediation center system as the service providers for court ordered mediation has been very successful for the past 33 years. The structure of this system, based on statute, is that community mediation centers must be a 501(c)(3) organization. Each center has their own policies and procedures, including setting fees, though they must use the sliding fee scale distributed by ODR. Each center develops a fee structure based on their business model and one that supports the center being financially stable. This is important because any center that appears to be financially unstable is placed on probation by the Council.

While the system of independent centers with their own policies has worked well, challenges have emerged, mostly related to fees. ODR has just received its first request to investigate a center's fee policy, and it appears that participants may be shopping around for the center that is most affordable, rather than using the center that serves their county.

2. **Access to Justice for Parents in Child Custody Cases Through the Courts.** Nebraska is well respected for our approach to family mediation. There is an understanding that parents are best equipped to develop a parenting plan that is in the best interests of their children. Nebraska also has Specialized ADR (SADR) mediation to provide a safe process for parents when there is domestic intimate partner abuse, unresolved parental conflict, or child

abuse/neglect. Mediators can also determine that a case is not appropriate for mediation. Parenting plans, by statute, include provisions for remediation regarding future modifications.

While mediation allows families to customize plans and the process can be a tremendous benefit for families (parents and children), there may be situations in which not allowing an exemption for mandatory remediation could place an undue barrier on a court user. Barriers include time to complete mediation, financial (cost to participate in mediation), and a party's inability to rationally negotiate during mediation due to high emotions.

Increased Day-of-Court Mediation in Small Claims Court. The number of courts using mediation in small claims has risen and is anticipated to continue to grow with the jurisdictional amount set to increase in July 2025. Most mediations are the day-of-court model with the mediation center providing a mediator at the courthouse to conduct the in-person mediation. While it is generally feasible for centers to serve the courts located in or near the center's location (Lincoln, Omaha, Papillion, Fremont, Kearney, Beatrice, Scottsbluff), it is harder for the rural centers that cover multiple counties.

The service areas for the four rural centers include one that covers 35 counties, one that covers 24 counties, one that covers 16 counties, and the other that covers 15 counties. Historically, centers relied on volunteer mediators located throughout their service areas to address coverage issues. However, the rural centers are having to rely more on in-house staff for in-person mediations and contract mediators for virtual mediations.

Small claims mediations generally involve one issue between two parties. There may be a benefit to the court and litigants to explore other mediation delivery options.

CHAIR/CO-CHAIRS: Judge Riko Bishop, Chair; Judge Linda Bauer, Vice-Chair

STAFF ASSIGNED: Kelli Wood, Jerid Wedige, Darla Johnson, and Samantha Besemer

MISSION STATEMENT OR PURPOSE FOR THE COMMISSION/COMMITTEE:

To support and provide education for judges and Judicial Branch employees to help maintain and increase their professional competence, to fulfill their obligations under the Nebraska Revised Code of Judicial Conduct, and to ensure the delivery of quality judicial services to the people of the State of Nebraska. See Neb. Ct. R. § 1-501.

ACTIVITIES AND ACCOMPLISHMENTS SINCE THE LAST REPORT:

1. A comprehensive review of the JBE Standards was conducted. The standards were updated and revised to provide greater clarity and include a requirement for ethics training for all staff and judges. The revised standards were approved by the Supreme Court in January 2025.
2. Facilitated the presence of law enforcement for security at judicial conferences.
3. Oversaw the expanding activities of JBE and provided guidance on how best to support the ever-evolving educational needs of the branch.
4. Reviewed and advised on new educational offerings and needs, including expanded lab space for in-person and web-based training opportunities, on-site JUSTICE training in rural areas, new ethics courses, education on brain development, the emerging adult population, the effects of trauma, and the impact and implications of artificial intelligence.
5. Helped facilitate more educational opportunities for Workers' Compensation Court Judges including new judge orientation.

Emerging issues or challenges:

- Budget restrictions. In-person training and educational conferences are expensive. To support that investment, how can we measure the impact of the education we provide, whether online or in-person? If we move to more online training for cost savings, will we lose the benefits of peer-to-peer learning that in-person education and training most effectively afford?
- Rapid pace of change. The advent of Artificial Intelligence and annual statutory changes impact educational priorities. How do we pivot and provide the information needed “just in time” and where can we find trustworthy resources at affordable costs?
- Employee well-being. What resources can we provide judges, supervisors, and staff to help maintain employees' well-being? Judges, staff, court reporters, probation officers, and others are often subjected to factually disturbing cases, and there can be a high level of emotion exhibited inside and outside the courtroom. Also, how do we help employees be resilient and adaptable to the stress of rapid change, or to unfavorable commentary in the news or social media?

PROBATION SERVICES COMMITTEE

CHAIR/CO-CHAIRS: Judge Jodi Nelson and Judge Elise White

STAFF ASSIGNED: Gene Cotter, Probation Administrator
Bob Denton, Deputy Probation Administrator, Adult
Kari Rumbaugh, Deputy Probation Administrator, Juvenile
Jacey Rader, Interim Deputy Administrator, Operations

Mission statement or purpose for the commission/committee:

To aid the Judiciary in accomplishing effective sentencing and dispositional alternatives that:

- Hold the probationer accountable for his/her behavior.
- Promote the rehabilitative programming that research has shown will likely reduce the possibility of recidivism.
- Improve public safety.

Activities and accomplishments since the last report:

1. Creation of process and training for changes resulting from State v. Daily. Chair emailed letter to Judiciary advising of new process, probation currently in progress of developing statewide training. *Completed/ In Progress*
2. Creation of a Legislative Subcommittee intended to review statute language and propose recommendations as needed. Legislative proposals were approved and submitted to legislators, introduced into LB 395, LB 404, and LB 488.
3. Implemented Emerging Adult Pilot in District's 4A and 9 with specially training probation officers utilizing a new Emerging Adult case management model developed with technical assistance from Columbia University and the Anne E. Casey Foundation.
4. Electronic Processing of Documents workgroup created a standardized process for probation staff which was presented and approved by the larger committee and shared by the Chair with judges across the state aligning with Supreme Court Rules.
5. The Juvenile Justice System Enhancement ~ Nebraska newly formed workgroup launched to support the implementation of the Enhanced Behavioral Health Screening process for juveniles, the judges presenting to judiciary across the state.

Emerging issues or challenges:

- Support probation in its adoption of Implementation Science strategies through ensuring committee and subcommittee work is aligned with Probation Strategic Plan, especially in implementation of the workload study.
- Identify and implement specific best practice models for Courts and Probation concerning the Emerging Adult Populations.

- Enact Juvenile forms focused workgroup to standardize court forms utilized for juvenile cases across the state.

CHAIR/CO-CHAIRS: Justice John Freudenberg

STAFF ASSIGNED: Sara Fowler, Trial Court Services Director for County Courts

Mission statement or purpose for the commission/committee:

The Nebraska Supreme Court's Courtroom Security Committee continues to raise awareness of security issues and possible resources to address those issues.

Activities and accomplishments since the last report:

1. Drafting a Supreme Court Rule regarding security cameras in the courtroom.
2. Providing input on the Security Incident Fact Form Protocol and the Security Incident Fact Form to track threats towards Judges and staff.
3. Education and Safety Training, including discussing Active Shooter Training.
4. Discussion regarding improving court security and training that is available.
5. Helping to track courthouse security audits performed and assist in setting these up if needed.

Emerging issues or challenges:

- There has been an increase in security incidents and attempts to bring weapons into secure areas.
- Lack of security resources in smaller counties due to financial constraints and a lack of information regarding security camera usage in courtrooms and agreements with local security.
- 3. An increase in mental health concerns impacting the courts which has prompted the need for providing de-escalation training to staff.

CHAIR/CO-CHAIRS: Justice William Cassel

STAFF ASSIGNED: Sanaz Ahmadi, Chief Information Officer

Mission statement (Current state):

To leverage technology innovatively within the Nebraska Judicial Branch, modernizing court and probation systems to improve access to justice, enhance operational efficiency, and positively impact the lives of our state's citizens.

Activities and accomplishments since the last report:

1. Migrated 1,800 user accounts from OCIO to Microsoft 365, consolidated domains, and transitioned significant data and servers to cloud environments (Azure/AWS). Implemented ManageEngine ITSM (Zoho) for centralized service desk ticketing, IT contract management, inventory tracking, and user dashboards, significantly enhancing operational visibility and efficiency.
2. Implemented many advanced cybersecurity measures including MFA deployment, managed security incident response (SIEM), phishing awareness testing, and improved user authentication experiences.
3. Enhanced the NPACS and JUSTICE systems with new capabilities for electronic filings, integrated data sharing, mobile app upgrades, and compliance with legal requirements.
4. Integrated HR's workday application with Active Directory (IT user hierarchy tool) as part of automating onboarding and offboarding processes, improved device management and security with TeamViewer, Intune, BitLocker, and TPM-enabled hardware.
5. Established comprehensive security and compliance practices, including sensitive data management via Microsoft Purview, local administrator password security (LAPS), and managed device configurations.

Emerging issues or challenges:

- Severe shortage of specialized IT personnel as full time employee of the branch, as well as limited IT funding is restricting the Branch's capacity to effectively implement and maintain strategic technology initiatives and proactive infrastructure management.
- Critical gaps in cybersecurity due to unmanaged devices across county-operated infrastructure, presenting significant risks to data security and incident response capabilities.
- Need for enhanced integration and modernization of legacy systems (JUSTICE/NPACS) and centralized identity and access management to streamline operations, improve security, and meet evolving judicial needs.

WORKERS' COMPENSATION COURT

CHAIR: Judge Dirk V. Block, Presiding Judge

STAFF ASSIGNED: Jill Gradwohl Schroeder, Court Administrator

Mission statement or purpose for the commission/committee: The Nebraska Workers' Compensation Court (NWCC) was created to adjudicate cases and/or resolve disputes under, administer, and enforce the Nebraska Workers' Compensation Act.

Activities and accomplishments since the last report:

1. The NWCC implemented closer uniformity of the Judges' Docket Management procedures. By adopting more consistent processes, such as in pretrial statements and scheduling orders, litigants have a clearer understanding of the judges' expectations.
2. The NWCC drafted, adopted, and implemented a New Judge training program and prepared for the implementation of the revised Judicial Branch Education (JBE) standards.
3. The NWCC's monthly court staff training program became well-established as a way to educate and connect court staff, provide context for the court's work, expose court staff to new ideas, and discuss historical perspectives as to the development and importance of workers' compensation in our society.
4. Significant progress is being made through the NWCC's modernization project. The primary goals of the modernization project are to redesign the court's Windows-based case management system into a cloud-based system, enhance the court's processes to improve data quality and security, and create a web-based portal for the public to securely access and transmit documents and data. Released into production are applications for expense reimbursements, supply requests, Travel and Training requests, and the court's "Attorneys" table. Currently in testing, and next to be released, are updates to the court's workers' compensation coverage compliance processes.

Emerging issues or challenges:

- Specific to the NWCC, an emerging issue is evaluating proposed revisions to the release of liability and lump sum settlement court Rules and forms.
- Also specific to the NWCC, the court is evaluating vocational rehabilitation processes to ensure returning injured workers to suitable employment remains a "primary purpose" of the Nebraska Workers' Compensation Act. See Neb. Rev. Stat. § 48-162.01.
- An emerging issue for the court system as a whole is how to manage issues concerning Artificial Intelligence. Is Artificial Intelligence Friend or Foe?
- Recruiting and retaining high quality court staff.

ASSOCIATION: Nebraska Separate Juvenile Judges Association

PRESIDENT: Judge Jonathon Crosby

Emerging issues or challenges:

- Placement options. Lack of competent mental health/behavioral treatment and placements for children and youth who are unable to remain at home related to their dangerous, aggressive actions toward others and the community and have been diagnosed with serious mental illness and/or have lower/limited intellectual capacity is emerging again due to the rise of risk of harm created to others and the community by this group. Historical providers for placement are more selective and we see a higher refusal rate for reasons for which placement is sought. Additionally wait lists for placement and evaluations are long and do not compliment the treatment needs and the rapid timeframes mandated for the juvenile court.
- The "clawback" or recovery of Medicaid funds by the State of Nebraska is going to affect the availability of therapeutic resources for the Court detrimentally. It is foreseeable that professionals will be reluctant to provide therapy and mental health services for youth and families whose insurance resource is Medicaid because they will believe they cannot predict why or when the State might come after them to reimburse Medicaid payments.
- Judicial security
- Runaways from placements ordered by the court remain problematic. The depth of investigations to locate juveniles seem more surface, and the concern also extends to the apparent lack of consequences for those who harbor the runaway juveniles.
- The lack of clarity of a workable procedure for how to deal with juveniles in delinquency matters who are determined not competent to stand adjudication.
- Judicial training: Lack of national training opportunities for county judges.

JUDGES' ASSOCIATIONS

ASSOCIATION: Nebraska County Judges Association

PRESIDENT: Judge Holly Parsley

Emerging issues or challenges:

- Public trust and confidence / safety of the judiciary: increase public trust and confidence in Nebraska's judicial branch by creating a strategic plan to provide information to the public and court users on the work and integrity/transparency/accountability of the judiciary.
- Staffing: increased turnover and hiring/training competent staff. To address it, pay fair and comparable wages to county offices, provide more dynamic training, etc.
- Technology: lack of technology support and training. To address it, have State IT come in person to courthouses on a regular basis (monthly, quarterly) to address issues and provide training. Also provide more ability/access to County IT departments to resolve issues.
- Mental health: lack of mental health resources for both adults and juveniles (especially indigent parties) — including incredibly long waits for beds at Regional Center for competency restoration. A statewide examination by all 3 branches of state government to address the needs.
- Judicial training: lack of national training opportunities for county judges.



2025

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