



# Office of Dispute Resolution Annual Report

**Fiscal Year 2024**  
July 1, 2023 – June 30, 2024



# Overview

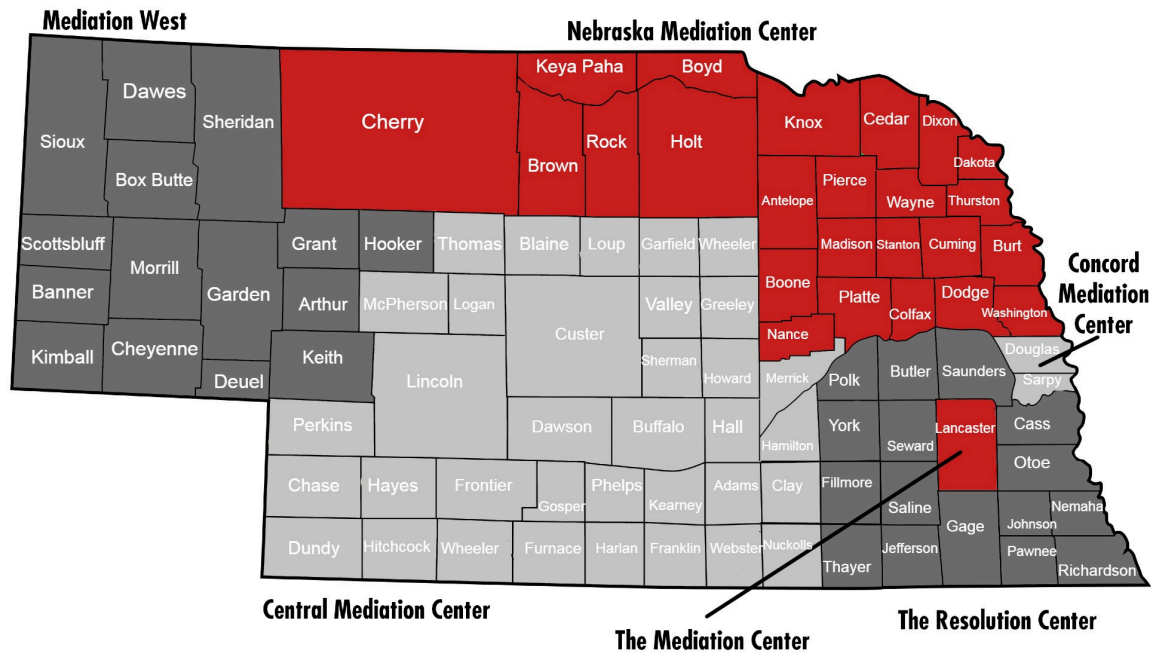
Nebraska is one of only a few states that offer mediation and restorative justice (RJ) facilitations statewide through non-profit mediation centers. These centers are reviewed annually for approval by the Nebraska Judicial Branch's Administrative Office of the Courts & Probation.

Mediation and RJ facilitations are available before filing a court case, during a court case, and after adjudication. Regardless of when mediation or RJ occurs, including before or during a court case, a citizen's right to the judicial process is never interfered with.

Parties can confidently proceed with mediation knowing that mediation communications are confidential. No admission, representation, or statement made in mediation, not otherwise discoverable or obtainable, shall be admissible as evidence or subject to discovery.<sup>1</sup> Communications that occur a part of an RJ facilitation are also confidential and privileged.<sup>2</sup>

<sup>1</sup> Neb. Rev. Stat. § 25-2914

<sup>2</sup> Neb. Rev. Stat. § 25-2914.01



# Challenges & Recommendations

A challenge of the approved mediation centers involves volunteer versus paid mediators. When the Dispute Resolution Act passed in 1991 and six non-profit mediation centers were approved, each center had a few core staff. In addition to staff, the centers relied on mediator volunteers. Today, the centers still have a small core staff. However, the volunteer pool is almost non-existent. This change can be attributed to the current workforce in which people are more cognizant of maintaining a work-life balance. Others, for financial reasons, are working increased hours or more than one job and volunteering is financially not feasible.

When the Dispute Resolution Act went into effect, the grants awarded under Neb. Rev. Stat. § 25-2909 were sufficient to support the approved mediation centers providing low-cost mediation services using volunteers. While mediation services and how those services are provided have evolved, funding through grants and service contracts rates have remained at a similar nominal level. This results in approved mediation centers, especially those serving rural Nebraska, being challenged to provide low-cost mediation services in their communities. Therefore, consideration to increase available funding and contract rates needs to be a priority to support the approved mediation centers and those they serve.

# FY 2024 Closed Case Statistics



Mediation Center Case Types	# of Cases	% of Caseload
<b>Parenting Plans</b> <i>Includes: Divorce, Modification, Never Married</i>	1506	40.4%
<b>Specialized ADR</b> <i>Includes: Divorce, Modification, Never Married</i>	118	9.2%
<b>Family (Not Parenting Plans)</b> <i>Includes: Divorce no children, Elder, Grandparent Visitation, Relationships</i>	118	3.2%
<b>General/Community</b> <i>Includes: Small Claims, Workplace, Special Education</i>	583	15.6%
<b>Child Welfare</b> <i>Includes: Family Group Conference, Pre-Hearing Conference, Pre-Hearing Permanency Review Conference, Pre-Hearing Termination of Parental Rights Conference</i>	574	15.4%
<b>Juvenile Justice</b> <i>Includes: Victim Youth Conference, Excessive Absenteeism/Truancy</i>	601	16.1%
<b>Adult</b> <i>Includes: Assault</i>	3	0.1%

## Agreement Rates

Cases Mediated*	1828
Cases Facilitated*	530
Resolution Rate	78%

## Referrals

Court	46.0%	Agency/Org	10.8%
Attorneys	21.8%	School	6.7%
Self/Friend	14.5%		

\* "Came to the Table"



## **Office of Dispute Resolution Annual Report Fiscal Year 2024 | July 1, 2023 - June 30, 2024**

This annual report of the Office of Dispute Resolution (ODR) contains aggregate caseload statistics extracted from the caseload management system used by the ODR and the approved mediation centers. Providing case statistics ensures transparency to the public and complies with statutory requirements (Neb. Rev. Stat. § 25-2920).

The Fiscal Year 2024 Annual Report and previous reports are available at:  
<https://supremecourt.nebraska.gov/administration/publications-reports>

For more information about ODR, visit:  
<https://supremecourt.nebraska.gov/programs-services/mediation-restorative-justice>