

On June 29, 2022, the Nebraska Supreme Court approved the following rule amendments to the Operating Rules of the Nebraska Access to Justice Commission:

State of Nebraska – Judicial Branch
**OPERATING RULES OF THE NEBRASKA
ACCESS TO JUSTICE COMMISSION**

ARTICLE I. VISION MISSION

~~The mission of the Nebraska Access to Justice Commission (hereinafter “Commission”) is to ensure every person access to justice as guaranteed by the Nebraska Constitution.~~

The vision of the Nebraska Access to Justice Commission is to achieve 100 percent access to justice for all.

ARTICLE II. STRATEGIC GOAL MISSION

~~The goal of the Commission is to enable oversight and coordination of access related programs, and improve the efficiency and expand the impact of such programs to better facilitate the Supreme Court’s strategic goal of providing equal access to swift, fair justice.~~

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.

ARTICLE III. MEMBERSHIP

A. **Composition.** The Access to Justice Commission (hereinafter “Commission”) shall consist of at least 20, but no more than ~~25~~ 30 Commissioners. Consideration should be given to achieving a reasonable balance of geographic, cultural, ethnic, racial and gender diversity among the Commissioners. The suggested membership is based on the positions listed below:

- Supreme Court Justice
- Court of Appeals Judge

District Court Judge
County Court Judge
Juvenile Court Judge
Representative from each Standing Committee
State Court Administrator
~~County Court Clerk~~ Clerk of the County Court
~~District Court Clerk~~ Clerk of the District Court
Attorney Services Division Administrator
Director of Language Access
Nebraska State Senator Legislature
Nebraska State Bar Association Representative
Law School Dean or Professor (2)
Legal Aid Organizations Representatives (2)
ODR/Mediation Center Network Representatives
Librarian Libraries (Law and/or Public)
Court Interpreter
~~Office of the Attorney General~~ or designee
At-large Attorneys (2)
Diversity/Community Representatives (2)
Disability Organization Representative

B. Appointments, Resignation, Removal and Vacancies

1. **Appointments.** All appointments to the Commission shall be made by the Supreme Court. Commissioners shall be eligible for reappointment to successive terms at the discretion of the Supreme Court. The Supreme Court shall also have the authority to remove a Commissioner at its discretion at any time.
2. **Resignation.** Any Commissioner may resign by notifying the Co-Chairs in writing.
3. **Recommendation for Removal.** The Commission may recommend to the Supreme Court that a Commissioner be removed by a three-fourths vote of all Commissioners at any regular or special meeting.

- a. Notice of intent to consider removal shall be provided to the affected Commissioner at least one-week prior to the meeting.
- b. The affected Commissioner shall have an opportunity at the meeting to contest the proposed removal prior to a vote.
- c. The recommendation for removal, along with a rationale for removal of a Commissioner, shall be submitted to the Supreme Court for its consideration and potential action with a copy of the same being provided electronically or mailed to the affected Commissioner.

4. **Vacancies.** In the event a Commissioner no longer serves in the position (see Article III A above) which precipitated their appointment, said Commissioner shall be considered to have vacated their appointment. Any appointment to fill a vacancy shall be for the unexpired term of the Commissioner being replaced. Commissioners whose terms expire should be allowed to continue to serve until their successors are appointed. The Supreme Court shall have discretion to allow a Commissioner to complete their full term rather than to fill the vacancy.

C. **Terms.** Initially, one half of the Commissioners shall serve two-year terms, while the remaining Commissioners shall serve four-year terms. Thereafter, all subsequent Commissioners will serve four-year terms. Any appointment to fill a vacancy shall be for the length of the unexpired term of the Commissioner being replaced.

ARTICLE IV. OFFICERS

The Supreme Court shall appoint two Co-Chairs, one of whom shall be a judge on the Nebraska Supreme Court or Court of Appeals, to lead the Commission. The Co-Chairs' terms of appointment shall be determined by the Supreme Court.

ARTICLE V. STANDING COMMITTEES, SUB-COMMITTEES, AND WORKING GROUPS

A. The Commission may create standing committees, sub-committees and working groups as it deems necessary to carry out the Commission's charge. All appointments to

~~such standing committees, sub-committees and working groups shall be made by the Supreme Court.~~

~~B. The Commission shall initially have the following standing committees:~~

- ~~1. Self-Represented Litigation Committee~~
- ~~2. Language Access Committee~~
- ~~3. Committee on Equity and Fairness~~

~~B. C. Members of standing committees ~~Committees~~, sub-committees and working groups should generally include at least one Commissioner ~~Commissioners~~.~~

~~C. This article does not prohibit the Co-Chairs from creating sub-committees and working groups with limited duration for the purpose of accomplishing specific initiatives or special projects. Members of any such sub-committees and working groups shall be invited by the Co-Chairs of the Access to Justice Commission and do not require Supreme Court appointment.~~

ARTICLE VI. COMMISSION MEETINGS

A. **Regular meetings.** Regular meetings of the Commission shall be convened no less often than annually, at a time and place designated by the Co-Chairs.

B. **Special meetings.** Special meetings of the Commission may be convened by the Co-Chairs.

C. **Notice of meeting.** Notice of each meeting, whether regular or special, shall be provided to each Commissioner electronically not less than one week prior to the meeting.

D. **Agenda.** The meeting agenda shall be set by the Co-Chairs and distributed to each Commissioner ~~electronically by email not less than one week~~ prior to the meeting.

E. **Minutes.** Minutes of each Commission meeting shall be taken and shall include at minimum the time and place the meeting was called to order, persons in attendance, summary of all points made, motions introduced, and votes taken. Minutes of each meeting shall be approved by the Commission at the next scheduled meeting.

F. **Quorum.** In order for the Commission to conduct business or take any official action, a quorum, consisting of the majority of the current Commission membership, shall be present. When a quorum is not present, discussion may take place but no official action can be taken, except for closing of the meeting, unless otherwise provided herein.

G. **Attendance by virtual conferencing ~~conference call~~.** Commissioners may participate in a meeting by any virtual conferencing method approved by the Co-Chairs, ~~conference telephone or similar communications equipment which enables all persons participating in the meeting to hear each other~~. Attendance at a meeting by ~~this method~~ virtual conferencing constitutes presence for purposes of quorum and voting.

H. **Voting.** A vote of the majority of Commissioners present shall be required for the approval of any requested action or motion placed before the Commission except as otherwise provided herein.

I. **Action by Unanimous Consent.** In the event business of the Commission is necessary between meetings, the same may be conducted ~~by email~~ electronically if the same is done with the unanimous consent of all Commissioners.

ARTICLE VII. REPORTS

A. The Commission shall prepare and submit a written report annually to the Supreme Court.

B. Each ~~Standing Committee~~ standing committee, ~~Sub-Committee~~ sub-committee and working group shall report to the Commission not less than ~~twice~~ once per year.

ARTICLE VIII. AMENDMENTS

A. These ~~Operational~~ Operating Rules may be amended by a two-thirds majority vote of all the Commissioners.

B. Proposed amendments to these ~~Operational~~ Operating Rules must be presented in writing ~~via email~~ electronically to the membership at least one week prior to the regular or special meeting.

CERTIFICATION

These Operating Rules were approved by the Commission by a two-thirds majority vote of all Commissioners present on October 13th, 2017. Amendments to the Operating Rules were approved by the Commission by a two-thirds majority vote of all Commissioners present on May 5, 2022.

Co-Chair Signature

Co-Chair Signature