

On October 20, 2021, the Nebraska Supreme Court approved the following rule amendments to the Rules of the District Court of the First Judicial District:

District 1

Rules of the District Court of the First Judicial District

....

Rule 1-2. Continuances

In addition to the requirements set forth in Neb. Rev. Stat. § 25-1148 (Reissue ~~1995~~ 2016), a Motion for Continuance shall set forth whether the opposing party has an objection. If the opposing party does not object to the continuance, the party filing the motion shall be responsible for arranging, as soon as practical, a new date and time with all opposing parties and the Court. If the opposing party does object, it is the responsibility of the party filing the motion to set the motion for a continuance hearing. Except for exigent circumstances, a motion for a continuance shall be made at least three (3) working days prior to the hearing for which the continuance is requested.

....

Rule 1-4. Dissolution Actions

A. Property Statements: Where the action involves a division of property by the Court, each party shall prepare a property statement setting forth assets, liabilities, and any other information concerning property germane to the case at bar. The party filing the action shall have sixty (60) days from the date of filing to prepare, furnishing a copy to the opposing party. The responding party shall then complete the property statement by adding to it any additional property and that party's estimates of value of all property listed. The responding party's additions shall be served upon the initiating party within thirty (30) days after the ~~filing of receipt of~~ the initial statement. The property statements shall be in the format of Exhibit A attached hereto. When property division is contested at final hearing, the parties shall prepare a joint property statement for use as an exhibit and provide said joint property statement to the Court in the format of an Excel spreadsheet at least ten (10) days prior to the final hearing. Either party may receive an extension of time for filing or completing property statements on written motion and good cause shown. Except by agreement of the parties or order of the Court, amendments to the property statement shall not be permitted unless filed at least ten (10) days prior to trial. Property Statements shall not be filed with the Court but proof of service shall be filed. Failure to provide the Court with a joint property statement ten (10) days prior to the final hearing may result in cancellation or postponement of the final hearing at the discretion of the judge.

B. Temporary Hearing: Unless otherwise ordered, temporary applications shall be governed by ~~Unif. Dist. Ct. R. of Prac. 4(B) (rev. 2000)~~ Neb. Ct. R. § 6-1504. Except where a party appears pro se and live testimony is required, or unless otherwise ordered, evidence shall be submitted by affidavits, which shall be exchanged by the parties at least forty-eight (48) hours prior to the hearing. Responsive affidavits shall be exchanged at least twenty-four (24) hours prior to the hearing. Except for good cause shown, no more than five (5) affidavits, ~~or alternatively,~~ totaling no more than fifty (50) affidavit pages (including exhibits attached thereto), will be considered by the Court at the time of the temporary hearing.

C. Ex Parte Custody Orders: No ex parte order shall be entered in a domestic relations case without one (1) or more supporting affidavits from a party or his or her witnesses. Except for good cause shown, no ex

parte temporary order shall be entered in a pending case if the opposing party is represented by counsel or a guardian ad litem/attorney for minor(s) has been appointed. If an ex parte order is issued, it shall be served upon the opposing party or counsel forthwith, and a temporary hearing shall be held forthwith.

D. Contested Custody: If an issue concerning custody of a minor child exists, the Court may appoint a guardian ad litem/attorney for the minor(s). In such event, the Court will order an initial deposit of fees to be paid by the parties into the Court within a specified time period. If no time period is specified by the Court, it shall be 20 days. Initial fees shall be allocated between the parties in the discretion of the Court, subject to modification and the assessment of additional fees at the time of the final hearing. Those claiming indigent status may apply to the Court for a waiver of such fee assessment. Such an application must be accompanied by an affidavit establishing poverty. When a guardian ad litem/attorney for the minor child makes application for payment of fees in a case involving a claim of indigence, copies of the fee application and notice of hearing shall be served upon the County Attorney, who may appear at the hearing to object to payment of the same.

E. Final Hearings/Pretrial Conferences: Final hearings in all dissolution cases shall be set for fifteen (15) minutes for an uncontested hearing. If the case is not settled, the parties shall notify the Bailiff or Clerk for setting of a pretrial. Pretrials may be waived by the Court. No case will be docketed for final hearing or pretrial until at least both parties have prepared a property statement or the Court waives such preparation for good cause.

F. No document filed in the public record of a case shall have complete vehicle identification numbers, account numbers, Social Security numbers, dates of birth, or other personal identification information. Real estate shall be described by legal description as opposed to street address.

G. Leaving the State: Every order for child custody, temporary or permanent, shall contain language substantially as follows:

A party exercising custody of a minor child is ordered not to move the child outside the State of Nebraska. Anyone intending such a move must first:

- (1) Make written application to the Court; and
- (2) Give notice of the application and hearing to the other party as required by law.

H. Reduction in Support for Periods of ~~Visitation~~ Parenting Time: Whenever a temporary or permanent child support order provides for a reduction in child support while a non-custodial parent has possession of the child or children, the following procedure shall be utilized:

- (1) The order shall clearly state the time period and percentage that the non-custodial parent's child support obligation shall be reduced.
- (2) The reduction shall be automatically deducted unless the custodial parent submits an affidavit within thirty (30) days after the child or children return to him or her stating that the non-custodial parent was not in the possession of the child or children for the requisite time period. If such an affidavit is filed, a hearing shall be held to determine whether the reduction shall be allowed.
- (3) Failure of the custodial parent to file such an affidavit within thirty (30) days shall constitute a waiver of objection to the reduction of child support.

I. Rule for Mediation in Domestic Relations Cases:

1. Parties to domestic-relations matters involving children are required to attend the District Court parent education program required by the court within sixty (60) days from receipt of service of process. This includes filing for dissolution of marriage and determination-of-paternity cases, which involve issues of custody and/or visitation. Effective on January 1, 2008, motions to compel existing orders which involve parenting issues, applications to modify decrees of dissolution which involve parenting issues, and applications to modify decrees of paternity which involve parenting issues shall be subject to the requirements of this rule, and both parents are required to attend the parent education program.

If the court deems it advisable, the parties may be required to complete a second level parenting class or the children of the parties may be referred to a class.

~~Prior to July 1, 2010, the parties shall submit a parenting plan to be approved by the court. The parenting plan shall be developed by the parties or their counsel, an approved mediation center, or a private mediator. When a parenting plan has not been developed and submitted to the court, the court shall either create the parenting plan in accordance with the Parenting Act (*parenting plan samples available from the District Court Clerk*) or refer the case to an approved mediator. At any time in the proceeding, the Court may refer a case to an approved mediator in order to attempt resolution of any relevant matter. Until July 1, 2010, either party may terminate mediation at any point in the process.~~

On or after July 1, 2010, all parties who have not submitted a parenting plan to the court within the time specified by the court shall be required to meet and participate in mediation services or another assigned mediator to complete a parenting plan or visitation schedule, including child custody, visitation, grandparent visitation, and any other issues relating to the children that may be susceptible to mediation. ~~No trial date will be scheduled until attendance at the required parent education seminar has been completed and mediation to resolve custody and/or visitation issues has been attempted, provided, however, that failure or refusal to participate by a party shall not delay entry of a final judgment by more than six (6) months.~~ All parties are required to attend the parent education seminar and mediation, if appropriate. Scheduling of a final hearing may be delayed up to six (6) months if such is not completed. It is further provided that, notwithstanding the language in this paragraph, domestic-violence issues may, upon consideration by the trial court, disqualify the parties from mediation.

On or after July 1, 2010, a party may not terminate mediation until after an individual initial screening session and one mediation or specialized alternative dispute resolution session are held.

Parties or counsel are required to notify the local Mediation Services Office of any request for delay in assignment of a mediator if the parties and counsel are attempting to negotiate a parenting plan agreement, which agreement shall be required to comply with the parenting plan checklist. In the event there is failure to request a delay of mediator assignment, a mediator shall be assigned pursuant to this rule.

2. The Court shall prepare an order, for distribution by the District Court Clerk, advising the filing parties and their attorneys that attendance at the an approved parenting seminar “What About The Children” or “Communication Skills for Parents in Conflict” is mandatory and must be completed within six months (6) from the filing of the complaint. The order shall also advise the parties and counsel: (1) the parenting plans and visitation schedules may be referred for mediation; (2) that no the trial date will be set may be delayed until attendance at the required parent education seminar has been completed, and if required, mediation to resolve custody and/or visitation issues has been attempted; (3) that failure or refusal to participate by a party shall not delay entry of a final judgment by more than six (6) months; and (4) that domestic-violence issues may, upon consideration by the trial court, disqualify the parties from

mediation. The District Court Clerk shall include this order with the filing and service packets distributed by the clerk.

~~3. The District Court Clerk shall maintain a list of mediators approved by the District Court judges and the Mediation Committee of the District Court. These mediators must meet State of Nebraska (or equivalent) standards for training in order to qualify. The following requirements apply to all participating mediators:~~

~~Court approved mediators will determine their own fees and will provide a copy of their fee schedule to the Court. In order to be on the list of court approved mediators, a mediator must agree to use a sliding-scale fee of \$25 to \$75 per person per hour, determined on the basis of what each party is able to pay. Court approved mediators must also agree to take pro bono cases on an "as needed" basis. The Court will determine the need for such pro bono services, so that the burden of these cases is equitably distributed among the participating mediators.~~

~~3. 4.~~ Prior to participation in the program, qualified mediators will be required to attend an orientation session, which will be conducted by the Court, to review the mediation procedures, as well as the parenting plan checklist. Each participating mediator must be willing to agree to the court requirements for participation, and each mediator will be asked to sign a statement indicating acknowledgment and acceptance of the requirements.

~~4. 5.~~ When a judge refers a case for mediation, the judge will indicate the issues to be mediated, as well as any choice of a mediator if the judge has a preference. The judge may also indicate whether there is a particular mediator whom the judge does not wish to use. The attorneys for the parties may also mutually agree upon the choice of a mediator and may indicate whether they wish the parties to mediate any issues other than custody and parenting or visitation plans. If financial issues are to be mediated, the case may be assigned to an attorney mediator.

~~5. 6.~~ The attorneys will be requested to bring the parties to a local Mediation Service Office forthwith or to immediately provide the local Mediation Service Office with all necessary client information, so the staff can confer with the parties and their attorneys, and can discuss selection of a mediator. Unless a specific mediator has been requested, the next mediator appropriate to the parties and their needs will be assigned from the rotating list, and the Mediation Services Director will contact the mediator to confirm the mediator, who must advise the Mediation Services Director within ten (10) days of receipt of the paperwork of the date for the parties first appointment. The local Mediation Services Office will attempt to screen each case for domestic violence, which would disqualify the parties from mediation, but the individual mediator may also refuse to mediate a case if the mediator determines that it would be inappropriate.

~~6. a. 7-a.~~ If the parties reach an agreement through mediation, the agreement shall be reduced to writing. Copies shall be provided by the mediator or local Mediation Service Office to the parties and their attorneys, together with a notice informing the parties and their attorneys of their right to express their objections to the written agreement. The notice shall inform the parties and their attorneys that they have twenty-one (21) days from the date of the notice to notify the mediator or the local Mediation Services Office of any written objections to the terms of the agreement. Such objections shall be specific. All matters not specifically objected to shall be deemed final. If no objections are received within twenty-one (21) days, then the agreement shall automatically be forwarded to the local Mediation Services Office for final processing, pursuant to subsection (c) below.

If the parties and counsel negotiate a Parenting Plan agreement, which agreements shall comply with the Parenting Plan Checklist, the agreement shall be forwarded to the local Mediation Services Office immediately after signing pursuant to subsection (c) below.

b. Upon the filing by either party or attorney of objections to the agreement, the mediator shall forthwith schedule a re-mediation session on the disputed issues identified in the objection. The mediator may charge additional fees for the re-mediation session and related expenses. Following re-mediation efforts, the mediator shall forward to the local Mediation Services Office the “re-mediated agreement” which shall recite those issues which remain contested, if any.

c. Agreements or amended mediation agreements shall be forwarded to the local Mediation Services Office, where said agreements shall be reviewed. A copy of the agreement or amended mediation agreement shall be forwarded, ~~along with the appropriate certificate of readiness form,~~ to the judge to whom the case is assigned and to the court file. ~~For cases involving parties with no counsel, the Mediation Services Office will require the parties to complete and file with the District Court Clerk a “Certificate of Readiness” indicating that the case is ready to be set for an uncontested final hearing. Such certificates will be in a form acceptable to the Court.~~

d. Prior to setting a case for an uncontested final hearing, the parties shall file a ~~“Certificate of Readiness”~~ with a copy of the parenting plan with the Court. ~~For cases involving parties with no counsel, the Mediation Services Office will require the parties to complete and file the certificate with the District Court Clerk. Such certificate will be in a form acceptable to the Court.~~

e. The ~~“Certificate of Readiness”~~ for final hearing shall contain the following information:

- i. ~~The full names of the parties;~~
- ii. ~~The case number of the case;~~
- iii. ~~The names, addresses, and bar number of counsel;~~
- iv. ~~The date on which the complaint was filed and the date of service on defendant or the date of filing of the voluntary appearance by the defendant;~~
- v. ~~That the parties have agreed to a parenting plan;~~
- vi. ~~That the parties have attended the parent education seminar required by the court;~~
- vii. ~~That the parties have completed child support calculations pursuant to the Nebraska Child Support Guidelines and have agreed to all financial matters contemplated by the guidelines;~~
- viii. ~~That the parties have entered into a written and signed property settlement agreement; and~~
- ix. ~~That the parties have or have not attended mediation.~~

~~e. f.~~ If the parties have not agreed to any of the following: parenting plan, child support calculations, or a property settlement agreement, they ~~should not file a “Certificate of Readiness.”~~ They should contact the bailiff to schedule further hearings.

~~7. &~~ The local Mediation Services Office will follow up on the deadlines set by the Court and whether any extensions of time have been granted.

~~8. 9.~~ Remediation Clause cases. When the parties are mediating amendments to existing decrees or modification proceedings, they may directly request mediation through their previous mediator or may request re-assignment to a different mediator through the local Mediation Services Office.

~~9. 10.~~ The Mediation Committee will be a standing committee of the District Court and will be composed of three (3) district judges, the Mediation Services Director, at least one outside mediator/advisor, and such other persons as the Committee deems necessary. The Chair Judge of Mediation Services will chair this Committee and may be consulted individually, as may be needed by the conciliation and Mediation Services Director, for answers on day-to-day operations of the mediation program.

~~10. 11.~~ The Mediation Committee of the District Court may make such other operating rules as may be needed to facilitate the beginning and continuation of this mediation program.

~~11. 12.~~ The local Mediation Services Office will be designated by the Mediation Committee of the District Court. A Mediation Services Director will be appointed by the Mediation Committee of the District Court.

~~12. 13.~~ Parties that have either terminated mediation unsuccessfully or have been determined to not qualify for mediation services shall have their case set for final trial before the court as soon as possible.

~~13.~~ The District Courts encourage the use of waivers of final hearing under Neb. Rev. Stat. 42-361. Approval of waivers is subject to the discretion of the district judge.

Rule 1-5. Telephonic Conference Hearings Remote Appearances

A. Request for ~~Telephonic Conference Hearing~~ remote appearance:

(1) A matter may be heard by telephonic conference call or videoconference only by permission of the court.

(2) Telephonic conferences or videoconferences requested by the moving party shall be arranged prior to the filing of the motion, and the ~~notice of hearing motion~~ shall clearly state request that the hearing will be held by telephonic conference call or videoconference. ~~Telephonic conferences requested by a party other than the moving party~~ Absent exigent circumstances, all remote appearances shall be arranged three (3) business days prior to the hearing, and notice shall be filed by the party requesting the hearing, together with proof of service thereof on all opposing parties.

B. Any party desiring to present evidence at a hearing must be present in person, unless leave of the Court is granted.

C. Initiation of Telephonic Conference Call:

(1) The party requesting the telephonic conference call shall be responsible for initiating the call and shall provide for all expenses of the call.

(2) The party initiating the call shall utilize appropriate equipment and systems to ensure that all persons participating have adequate quality and volume. If the Court determines that the sound quality or volume is insufficient, the Court may require the party initiating the call to utilize other means to complete the hearing by telephone.

D. Initiation of Videoconference:

(1) The Court will initiate the videoconference.

(2) Invitations to the videoconference shall be sent by e-mail to attorneys of record and any self-represented litigant who has provided an e-mail address to the Court. Invitations may be forwarded to others as needed (e.g., parties, clients, witnesses, etc.)

....

Rule 1-7. Correspondence with Court, ~~Stamped Envelope, Signed Copies~~

All correspondence with the Court regarding pending litigation shall refer to the subject case by case title, number, and county, and a copy of such correspondence shall be ~~mailed~~ sent to opposing counsel.

....

Rule ~~1-20. Interpreters~~

~~Court appointed counsel shall be paid an hourly fee established by the Court and kept on file with the Clerk. Before court appointed counsel' claim for payment is allowed, such attorney shall file a written motion for fees, positively verified, itemizing the time and expenses spent on the case. All motions for fees shall be served on the County Attorney.~~

Rule 1-20. ~~1-21.~~ First Judicial District Rule of Appointment of Counsel for Indigent Defendant in Criminal Cases

....

Exhibit A
PROPERTY STATEMENT

DO NOT FILE OF RECORD. SEE RULE 1-4A.
DO NOT USE COMPLETE IDENTIFYING INFORMATION

_____ vs. _____

CASE NO. _____

ASSETS	OF H OR W	PRESENT VALUE	PRESENT VALUE
A. HOUSEHOLD FURNISHINGS AND EQUIPMENT			
1. _____	_____	\$ _____	\$ _____
2. _____	_____	\$ _____	\$ _____
3. _____	_____	\$ _____	\$ _____
4. _____	_____	\$ _____	\$ _____
5. _____	_____	\$ _____	\$ _____
6. _____	_____	\$ _____	\$ _____
7. _____	_____	\$ _____	\$ _____
8. _____	_____	\$ _____	\$ _____
9. _____	_____	\$ _____	\$ _____
10. _____	_____	\$ _____	\$ _____
11. _____	_____	\$ _____	\$ _____
12. _____	_____	\$ _____	\$ _____
13. _____	_____	\$ _____	\$ _____
14. _____	_____	\$ _____	\$ _____
15. _____	_____	\$ _____	\$ _____
16. _____	_____	\$ _____	\$ _____
17. _____	_____	\$ _____	\$ _____
18. _____	_____	\$ _____	\$ _____
19. _____	_____	\$ _____	\$ _____
20. _____	_____	\$ _____	\$ _____

B.	CHECKING AND SAVINGS ACCOUNTS	POSSESSION OF H OR W	H'S PRESENT VALUE	W'S PRESENT VALUE
1.	_____ PARTIAL ACCT #	_____	\$ _____	\$ _____
2.	_____ PARTIAL ACCT #	_____	\$ _____	\$ _____
3.	_____ PARTIAL ACCT #	_____	\$ _____	\$ _____
4.	_____ PARTIAL ACCT #	_____	\$ _____	\$ _____
5.	_____ PARTIAL ACCT #	_____	\$ _____	\$ _____
6.	_____ PARTIAL ACCT #	_____	\$ _____	\$ _____
7.	_____ PARTIAL ACCT #	_____	\$ _____	\$ _____
8.	_____ PARTIAL ACCT #	_____	\$ _____	\$ _____

C.	AUTOMOBILES	POSSESSION OF H OR W	H'S PRESENT VALUE	W'S PRESENT VALUE
1.	_____ PARTIAL VIN #	_____	\$ _____	\$ _____
2.	_____ PARTIAL VIN #	_____	\$ _____	\$ _____
3.	_____ PARTIAL VIN #	_____	\$ _____	\$ _____
4.	_____ PARTIAL VIN #	_____	\$ _____	\$ _____
5.	_____ PARTIAL VIN #	_____	\$ _____	\$ _____
6.	_____ PARTIAL VIN #	_____	\$ _____	\$ _____
7.	_____ PARTIAL VIN #	_____	\$ _____	\$ _____
8.	_____ PARTIAL VIN #	_____	\$ _____	\$ _____

D.	FARM OR BUSINESS EQUIPMENT, INVENTORY AND SUPPLIES	POSSESSION OF H OR W	H'S PRESENT VALUE	W'S PRESENT VALUE
1.	=====	=====	\$=====	\$=====
2.	=====	=====	\$=====	\$=====
3.	=====	=====	\$=====	\$=====
4.	=====	=====	\$=====	\$=====
5.	=====	=====	\$=====	\$=====

E.	REAL ESTATE (MUST INCLUDE LEGAL DESCRIPTION)	POSSESSION OF H OR W	H'S PRESENT VALUE	W'S PRESENT VALUE
1.	=====	=====	\$=====	\$=====
2.	=====	=====	\$=====	\$=====

F.	LIFE INSURANCE AND RETIREMENT PLANS	POSSESSION OF H OR W	H'S PRESENT VALUE	W'S PRESENT VALUE
1.	=====	=====	\$=====	\$=====
2.	=====	=====	\$=====	\$=====
3.	=====	=====	\$=====	\$=====
4.	=====	=====	\$=====	\$=====

G.	MISCELLANEOUS	POSSESSION OF H OR W	H'S PRESENT VALUE	W'S PRESENT VALUE
1.	=====	=====	\$=====	\$=====
2.	=====	=====	\$=====	\$=====
3.	=====	=====	\$=====	\$=====

LIABILITIES

H.	MORTGAGES OR CONTRACTS ON REAL ESTATE	LIEN ON PROPERTY NO.	H'S PRESENT VALUE	W'S PRESENT VALUE
1.	_____	_____	\$ _____	\$ _____
2.	_____	_____	\$ _____	\$ _____
3.	_____	_____	\$ _____	\$ _____
4.	_____	_____	\$ _____	\$ _____

I.	SECURED CREDITORS (DEBTS)	LIEN ON PROPERTY NO.	H'S PRESENT VALUE	W'S PRESENT VALUE
1.	_____	_____	\$ _____	\$ _____
2.	_____	_____	\$ _____	\$ _____
3.	_____	_____	\$ _____	\$ _____
4.	_____	_____	\$ _____	\$ _____
5.	_____	_____	\$ _____	\$ _____
6.	_____	_____	\$ _____	\$ _____
7.	_____	_____	\$ _____	\$ _____

J.	UNSECURED CREDITORS (DEBTS)	PURPOSE	H'S PRESENT VALUE	W'S PRESENT VALUE
1.	_____	_____	\$ _____	\$ _____
2.	_____	_____	\$ _____	\$ _____
3.	_____	_____	\$ _____	\$ _____
4.	_____	_____	\$ _____	\$ _____
5.	_____	_____	\$ _____	\$ _____
6.	_____	_____	\$ _____	\$ _____
7.	_____	_____	\$ _____	\$ _____
8.	_____	_____	\$ _____	\$ _____
9.	_____	_____	\$ _____	\$ _____
10.	_____	_____	\$ _____	\$ _____

K.	ASSETS OF HUSBAND ON DATE OF THIS MARRIAGE	H'S VALUE	W'S VALUE
1.	_____	\$ _____	\$ _____
2.	_____	\$ _____	\$ _____
3.	_____	\$ _____	\$ _____
4.	_____	\$ _____	\$ _____
5.	_____	\$ _____	\$ _____

L.	ASSETS OF WIFE ON DATE OF THIS MARRIAGE	H'S VALUE	W'S VALUE
1.	_____	\$ _____	\$ _____
2.	_____	\$ _____	\$ _____
3.	_____	\$ _____	\$ _____
4.	_____	\$ _____	\$ _____
5.	_____	\$ _____	\$ _____

M.	DEBTS OF HUSBAND ON DATE OF THIS MARRIAGE	H'S VALUE	W'S VALUE
1.	_____	\$ _____	\$ _____
2.	_____	\$ _____	\$ _____
3.	_____	\$ _____	\$ _____
4.	_____	\$ _____	\$ _____
5.	_____	\$ _____	\$ _____

N.	DEBTS OF WIFE ON DATE OF THIS MARRIAGE	H'S VALUE	W'S VALUE
1.	_____	\$ _____	\$ _____
2.	_____	\$ _____	\$ _____
3.	_____	\$ _____	\$ _____
4.	_____	\$ _____	\$ _____
5.	_____	\$ _____	\$ _____

Q. GIFTS OR INHERITANCES RECEIVED BY HUSBAND SINCE DATE OF MARRIAGE (NOT INCLUDING GIFTS FROM WIFE)		H'S VALUE	W'S VALUE
1.	_____	\$ _____	\$ _____
2.	_____	\$ _____	\$ _____
3.	_____	\$ _____	\$ _____

P. GIFTS OR INHERITANCES RECEIVED BY WIFE SINCE DATE OF MARRIAGE (NOT INCLUDING GIFTS FROM HUSBAND)		H'S VALUE	W'S VALUE
1.	_____	\$ _____	\$ _____
2.	_____	\$ _____	\$ _____
3.	_____	\$ _____	\$ _____

STATE OF NEBRASKA)
) ss.
COUNTY OF)

The undersigned (plaintiff/defendant), having been duly sworn, states that the above contains a complete and accurate list of all property in which either party has any interest and a complete and accurate list of his or her debts.

Signature of Party

Subscribed and sworn before me on this _____ day of _____, 20____.

Notary Public

~~8. WHETHER PARTIES HAVE OR HAVE NOT ATTENDED MEDIATION:~~

~~9. WHAT IF ANY ISSUES ARE UNRESOLVED:~~

~~PARTIES OR ATTORNEYS NAME (PRINT) _____.~~

~~PARTIES OR ATTORNEYS SIGNATURE _____.~~

IN THE DISTRICT COURT OF

COUNTY, NEBRASKA

)	Case No. CI
)	
Plaintiff,)	
)	
vs:)	CERTIFICATE OF READINESS
)	FOR UNCONTESTED HEARING
)	FOR PARTIES SUBJECT TO THE
)	PARENTING ACT
Defendant.)	

1. ~~TYPE OF CASE:~~ DISSOLUTION _____ MODIFICATION _____ PATERNITY _____
OTHER _____ (specify)

2. ~~IS EITHER PARTY PRO SE? IF SO, SPECIFY:~~ _____ BOTH _____ PLAINTIFF
_____ DEFENDANT

3. ~~PARTIES' ATTORNEYS AND BAR NUMBERS, IF APPLICABLE:~~

PLAINTIFF'S ATTORNEY
NAME:
BAR NUMBER
ADDRESS:
TELEPHONE NUMBER:
E-MAIL:

DEFENDANT'S ATTORNEY
NAME:
BAR NUMBER:
ADDRESS:
TELEPHONE NUMBER:
E-MAIL:

4. ~~DATE THE COMPLAINT WAS FILED:~~ ~~DATE OF SERVICE OR VOLUNTARY APPEARANCE FILED:~~

5. ~~THE PARTIES CERTIFY THAT:~~

~~A. A PARENTING PLAN HAS BEEN AGREED TO; A COPY IS ATTACHED. A SEPARATE COPY HAS BEEN FORWARDED TO THE BAILIFF.~~

~~B. THEY HAVE ATTENDED THE PARENTING EDUCATION PROGRAM REQUIRED BY THE COURT; THE ORIGINAL CERTIFICATE HAS BEEN FILED.~~

~~C. THEY HAVE COMPLETED A CHILD SUPPORT CALCULATION IN ACCORDANCE WITH THE NEBRASKA CHILD SUPPORT GUIDELINES AND HAVE AGREED TO ALL FINANCIAL MATTERS CONTEMPLATED BY THE GUIDELINES.~~

~~D. THEY HAVE ENTERED INTO A WRITTEN PROPERTY SETTLEMENT AGREEMENT.~~

~~E. THE CASE IS READY TO BE SET FOR AN UNCONTESTED FINAL HEARING, ALL ISSUES BETWEEN THE PARTIES ARE RESOLVED AND ALL NECESSARY DOCUMENTS HAVE BEEN SIGNED.~~

~~F. A COPY OF THIS CERTIFICATE HAS BEEN SENT TO THE BAILIFF BY THE PARTIES.~~

PLAINTIFF'S OR ATTORNEY'S NAME (PRINT) _____.

PLAINTIFF'S OR ATTORNEY'S SIGNATURE _____.

DEFENDANT'S OR ATTORNEY'S NAME (PRINT) _____.

DEFENDANT'S OR ATTORNEY'S SIGNATURE _____.

~~EXPERIMENTAL RULES ON AUDIO COVERAGE IN
LIMITED NEBRASKA TRIAL COURTS~~

~~I. Purpose; general provisions.~~

- ~~A. These experimental rules pertain only to audio pickup by broadcasters as defined in II B below.~~
- ~~B. These rules shall be effective, on an experimental basis, beginning November 21, 2007, and shall apply in district court judicial proceedings presided over by District Court Judges Paul W. Korslund and Daniel E. Bryan, where experimental audio coverage has been authorized by the Supreme Court of Nebraska pursuant to these rules.~~
- ~~C. Nothing in these rules is intended to restrict any pre-existing right of the broadcasters to appear at and to report on judicial proceedings in accordance with law.~~
- ~~D. Nothing in these rules is intended to restrict the power and discretion of the presiding judge to control the conduct of judicial proceedings.~~
- ~~E. No judicial proceeding shall be delayed or continued for the sole purpose of allowing its audio coverage.~~
- ~~F. Audio coverage shall be conducted without disruption of court activities, without detracting from the dignity or decorum of the court, without compromise of the safety or welfare of persons having business before the court, and without adversely affecting the administration of justice.~~
- ~~G. The official record of the trial court shall, at all times, remain the record produced by the Official Court Reporter or comparable staff employed by the court for such purpose.~~

~~H. Definitions.~~

~~For purposes of these rules:~~

- ~~A. "Audio coverage" or "coverage" shall mean the broadcasting or other transmission to the public of audio signals from the courtroom or the recording of sound from the courtroom for later transmission or reproduction by recognized broadcasters.~~
- ~~B. "Broadcasters" shall mean Nebraska radio or television stations licensed by the Federal Communication Commission.~~

- C. ~~“Trial judge” shall mean the judge presiding over judicial proceedings at which audio coverage is authorized pursuant to these rules.~~
- D. ~~“Judicial proceedings” shall mean (1) criminal sentencing, arraignments, and any other hearings so long as there is no pre-trial evidence at issue which has not yet been ruled admissible by the court; and (2) only those phases of non-jury civil proceedings which are presented in open court, except proceedings in which the interests of minors are involved.~~

III. ~~General authorization for audio coverage.~~

- A. ~~During the experimental period, audio coverage shall be permitted of only those judicial proceedings defined above.~~
- B. ~~Any party or prospective witness in a civil proceeding and any victim in a criminal proceeding involving a sexual crime shall have the right to object to audio coverage. In the event of such objection, the trial court shall determine whether good cause has been shown and, if so, coverage shall not be permitted.~~

IV. ~~Use and deployment of equipment and personnel by broadcasters.~~

- A. ~~Equipment and personnel.~~
 - 1. ~~No more than one audio system for broadcast purposes shall be permitted in any proceeding. Audio pickup for all broadcast purposes shall be effectuated through existing audio systems in the court facility. If no technically suitable audio system is available, microphones and related wiring essential for media purposes shall be supplied by those persons providing coverage. Any microphones and sound wiring shall be unobtrusive and placed where designated by the trial judge.~~
 - 2. ~~Notwithstanding the provision of paragraph 1 of this subdivision, the trial judge, on a finding of special circumstances, may modify any restriction on the amount of equipment or number of operating personnel in the courtroom, compatible with the dignity of the court or the judicial process.~~
- B. ~~Sound criteria.~~
 - 1. ~~Only audio equipment that does not produce distracting sound or signal light may be employed to cover judicial proceedings.~~
 - 2. ~~No light or signal visible or audible to trial participants shall be used on any equipment indicate whether it is operating during coverage.~~

- C. ~~Location of equipment and personnel. Equipment that is not necessary for audio coverage from inside the courtroom shall be located in a safe area outside the courtroom.~~
- D. ~~Movement of equipment and media personnel. During the proceedings, operating personnel shall not move about, nor shall there be placement, movement, or removal of equipment. All such activities shall take place each day before the proceeding begins, after it ends, or during a recess.~~
- E. ~~Identifying insignia. Identifying marks, call letters, words, and symbols shall be concealed on all equipment. Persons operating such equipment shall not display any identifying insignia on their clothing.~~
- F. ~~The trial judge may impose any other restrictions on the use and deployment of equipment and personnel as may be appropriate.~~
- G. ~~Coverage of judicial proceedings shall be subject to the continuing supervision of the trial judge. No coverage shall take place within the courtroom during recesses or at any time when the trial judge is not present and presiding.~~

V. ~~Reports.~~

- A. ~~The trial judges shall file with the Office of the State Court Administrator, P.O. Box 98910, Lincoln, NE 68509, periodic assessments regarding the effect of the coverage upon the proceedings.~~

**~~RULES FOR EXPANDED MEDIA COVERAGE IN NEBRASKA TRIAL COURTS:
FIRST JUDICIAL DISTRICT~~**

~~Rule 1. Definitions.~~

~~Rule 2. General.~~

~~Rule 3. Procedural.~~

~~Rule 4. Technical.~~

~~RULES FOR EXPANDED MEDIA COVERAGE IN NEBRASKA TRIAL COURTS~~

~~These rules shall be effective, on an experimental basis, beginning March 12, 2008, and shall apply in the First Judicial District, district court judicial proceedings presided over by District Court Judges Paul W. Korslund and Daniel E. Bryan, where experimental video coverage has been authorized by the Nebraska Supreme Court pursuant to these rules. During the experimental period, the Nebraska Supreme Court Public Information Officer will serve as the media coordinator for the First Judicial District.~~

~~Rule 1. Definitions.~~

~~“Expanded media coverage” includes broadcasting, televising, electronic recording, or photographing of judicial proceedings for the purpose of gathering and disseminating news to the public.~~

~~“Good cause” for purposes of exclusion under this chapter means that coverage will have a substantial effect upon the objector which would be qualitatively different from the effect on members of the public in general and that such effect will be qualitatively different from coverage by other types of media.~~

~~“Judge” means the judge presiding in a trial court proceeding.~~

~~“Judicial proceedings” or “proceedings” includes all public trials, hearings, or other proceedings in a trial court, for which expanded media is requested, except those specifically excluded by this rule.~~

~~“Media coordinator” means the Nebraska Supreme Court Public Information Officer.~~

~~“Media representative” means Nebraska radio or television stations licensed by the Federal Communications Commission. In the event photographs are requested by a Nebraska newspaper, photographers must be employed by a recognized Nebraska news outlet.~~

~~Rule 2. General.~~ ~~Broadcasting, televising, recording, and photographing will be permitted in the courtroom and adjacent areas during sessions of the court, including recesses between sessions, under the following conditions:~~

~~(A) Permission first shall have been granted expressly by the judge, who may prescribe such conditions of coverage as provided for in this rule.~~

~~(B) Expanded media coverage of a proceeding shall be permitted, unless the judge concludes, for reasons stated on the record, that under the circumstances of the particular proceeding such coverage would materially interfere with the rights of the parties to a fair trial.~~

~~(C) Expanded media coverage of a witness also may be refused by the judge upon objection and showing of good cause by the witness. In prosecutions for sexual abuse, or for charges in which sexual abuse is an included offense or an essential element of the charge, there shall be no expanded media coverage of the testimony of a victim/witness unless such witness consents. Further, an objection to coverage by a~~

victim/witness in any other forcible felony prosecution, and by police informants, undercover agents, and relocated witnesses, shall enjoy a rebuttable presumption of validity. The presumption is rebutted by a showing that expanded media coverage will not have a substantial effect upon the particular individual objecting to such coverage which would be qualitatively different from the effect on members of the public in general and that such effect will not be qualitatively different from coverage by other types of media.

~~(D) Expanded media coverage is prohibited of any court proceeding which, under Nebraska law, is required to be held in private. In any event, no coverage shall be permitted in any juvenile, dissolution, adoption, child custody, or trade secret cases unless consent on the record is obtained from all parties (including a parent or guardian of a minor child).~~

~~(E) Expanded media coverage of jury selection is prohibited. Expanded media coverage of the return of the jury's verdict shall be permitted with permission of the judge. In all other circumstances, however, expanded media coverage of jurors is prohibited except to the extent it is unavoidable in the coverage of other trial participants or courtroom proceedings.~~

~~The policy of the rules is to prevent unnecessary or prolonged photographic or video coverage of individual jurors.~~

~~(F) There shall be no audio pickup or broadcast of conferences in a court proceeding between attorneys and their clients, between co-counsel, or between counsel and the presiding judge held at the bench or in chambers.~~

~~(G) The quantity and types of equipment permitted in the courtroom shall be subject to the discretion of the judge within the guidelines as set out in these rules.~~

~~(H) Notwithstanding the provisions of any procedural or technical rules, the presiding judge, upon application of the media coordinator, may permit the use of equipment or techniques at variance therewith, provided the application for variance is included in the advance notice of coverage. All media representatives will direct communication through the media coordinator. Ruling upon such a variance application shall be in the sole discretion of the presiding judge. Such variances may be allowed by the presiding judge without advance application or notice if all counsel and parties consent to it.~~

~~(I) The judge may, as to any or all media participants, limit or terminate photographic or electronic media coverage at any time during the proceedings in the event the judge finds that rules have been violated or that substantial rights of individual participants or rights to a fair trial will be prejudiced by such manner of coverage if it is allowed to continue.~~

~~(J) The rights of photographic and electronic coverage provided for herein may be exercised only by persons or organizations which are part of the Nebraska news media.~~

~~(K) A judge may authorize expanded media coverage of ceremonial proceedings at variance with the procedural and technical rules as the judge sees fit.~~

Rule 3. Procedural.

~~(A) *Media Coordinator.* The Nebraska Supreme Court Public Information Officer shall serve as the media coordinator. The judge and all interested members of the media shall work, whenever possible, with and through the media coordinator regarding all arrangements for expanded media coverage.~~

~~(B) *Advance notice of coverage.*~~

~~1. All requests by representatives of the news media to use photographic equipment or television cameras in the courtroom shall be made to the media coordinator. The media coordinator, in turn, shall inform counsel for all parties and the presiding judge at least 14 days in advance of the time the proceeding is scheduled to begin, but these times may be extended or reduced by court order. When the proceeding is not scheduled at least 14 days in advance, however, the media coordinator shall give notice of the request as soon as practicable after the proceeding is scheduled.~~

~~2. Notice shall be in writing, filed in the office of the Clerk of the District Court. A copy of the notice shall be sent to the last known address of all counsel of record, parties appearing without counsel, and the judge expected to preside at the proceeding for which expanded media coverage is being requested.~~

~~(C) *Objections.* A party to a proceeding objecting to expanded media coverage shall file a written objection, stating the grounds therefore, at least 3 days before commencement of the proceeding. All witnesses shall be advised by counsel proposing to introduce their testimony of their right to object to expanded media coverage, and all objections by witnesses shall be filed prior to commencement of the proceeding. All objections shall be heard and determined by the judge prior to the commencement of the proceedings. The judge may rule on the basis of the written objection alone. In addition, the objecting party or witness, and all other parties, may be afforded an opportunity to present additional evidence by affidavit or by such other means as the judge directs. The judge in absolute discretion may permit presentation of such evidence by the media coordinator in the same manner.~~

~~Time for filing of objections may be extended or reduced in the discretion of the judge, who also, in appropriate circumstances, may extend the right of objection to persons not specifically provided for in this rule.~~

Rule 4. Technical.

~~(A) *Equipment specifications.* Equipment to be used by the media in courtrooms during judicial proceedings must be unobtrusive and must not produce distracting sound. In addition, such equipment must satisfy the following criteria, where applicable:~~

~~1. *Still cameras.* Still cameras and lenses must be unobtrusive, without distracting light or sound.~~

~~2. *Television cameras and related equipment.* Television cameras are to be electronic and, together with any related equipment to be located in the courtroom, must be unobtrusive in both size and appearance, without distracting sound or light. Television cameras are to be designed or modified so that participants in the judicial proceedings being covered are unable to determine when recording is occurring.~~

~~3. *Audio equipment.* Microphones, wiring, and audio recording equipment shall be unobtrusive and shall be of adequate technical quality to prevent interference with the judicial proceeding being covered. Any changes in existing audio systems must be approved by the presiding judge. No modifications of existing systems shall be made at public expense. Microphones for use of counsel and judges shall be equipped with off/on switches.~~

~~4. *Advance approval.* It shall be the duty of media personnel to demonstrate to the presiding judge reasonably in advance of the proceeding that the equipment sought to be utilized meets the criteria set forth in this rule. Failure to obtain advance judicial approval for equipment may preclude its use in the proceeding. All media equipment and personnel shall be in place at least 15 minutes prior to the scheduled time of commencement of the proceeding.~~

~~(B) *Lighting.* Other than light sources already existing in the courtroom, no flashbulbs or other artificial light device of any kind shall be employed in the courtroom. With the concurrence of the presiding judge,~~

however, modifications may be made in light sources existing in the courtroom (e.g., higher wattage light bulbs), provided such modifications are installed and maintained without public expense.

~~(C) *Equipment and pooling.* The following limitations on the amount of equipment and number of photographic and broadcast media personnel in the courtroom shall apply:~~

~~1. *Still photography.* Not more than one still photographer, using not more than two camera bodies and two lenses, shall be permitted in the courtroom during a judicial proceeding at any one time.~~

~~2. *Television.* Not more than one television camera, operated by not more than one camera person, shall be permitted in the courtroom during a judicial proceeding. Whenever possible, recording and broadcasting equipment which is not a component part of a television camera shall be located outside of the courtroom.~~

~~3. *Audio.* Not more than one audio system shall be set up in the courtroom for broadcast coverage of a judicial proceeding. Audio pickup for broadcast coverage shall be accomplished from any existing audio system present in the courtroom, if such pickup would be technically suitable for broadcast. Whenever possible, electronic audio recording equipment and any operating personnel shall be located outside of the courtroom. Exceptions may be made by the presiding judge to accommodate the pre-existing audio broadcast role for this Judicial District.~~

~~4. *Pooling.* Where the above limitations on equipment and personnel make it necessary, the media shall be required to pool equipment and personnel. Pooling arrangements shall be the sole responsibility of the media coordinator and representative, and the presiding judge shall not be called upon to mediate any dispute as to the appropriate media representatives authorized to cover a particular judicial proceeding.~~

~~(D) *Location of equipment and personnel.* Equipment and operating personnel shall be located in, and coverage of the proceedings shall take place from, an area or areas within the courtroom designated by the presiding judge. The area or areas designated shall provide reasonable access to the proceeding to be covered.~~

~~(E) *Movement during proceedings.* Television cameras and audio equipment may be installed in or removed from the courtroom only when the court is not in session. In addition, such equipment shall at all times be operated from a fixed position. Still photographers and broadcast media personnel shall not move about the courtroom while proceedings are in session, nor shall they engage in any movement which attracts undue attention. Still photographers shall not assume body positions inappropriate for spectators.~~

~~(F) *Decorum.* All still photographers and broadcast media personnel shall be properly attired and shall maintain proper courtroom decorum at all times while covering a judicial proceeding.~~

STATE OF NEBRASKA
FORM NO. Media 01
Rev. 4/09 Judicial District 01
Local Court Rules

Notice of Request for Expanded Media Coverage

Case Number: _____

Plaintiff,

VS.

Defendant.

Notice of Request for Expanded Media Coverage of Trial Proceedings

Representatives of the news media want to use:

- Photographic equipment (still camera)
- Television cameras
- Sound Recording equipment

The trial of proceeding to be covered by expanded media techniques is scheduled for:

_____, _____, 20____, _____ m.
(day of week) (date) (time)

_____ County Courthouse, Nebraska. Judge Bryan/ Judge Korslund (circle judge presiding at trial)

If submitted less than 14 days prior to hearing, state reason: _____

List all counsel of record and parties appearing without counsel:

Attorney(s) _____
(Name) (address) (phone)

(Name) (address) (phone)

(Name) (address) (phone)

Parties without attorney
representation _____
(Name) (address) (phone)

Reporter/Station Information:

Reporter making request: _____ Media Outlet: _____

Phone: _____ Email: _____

**Send form to: Janet Bancroft, Nebraska Supreme Court Public Information Officer
janet.bancroft@nebraska.gov/ Fax: 402-471-2197/P.O. Box 98910, Lincoln, NE 68509**

C. AUTOMOBILES						
PARTIAL VIN	<u>Pl's prpsd value</u>	<u>Pl's prpsd disposition</u>	<u>Def's prpsd value</u>	<u>Def's prpsd disposition</u>		
D. FARM OR BUSINESS EQUIPMENT, INVENTORY AND SUPPLIES						
ITEM	<u>Pl's prpsd value</u>	<u>Pl's prpsd disposition</u>	<u>Def's prpsd value</u>	<u>Def's prpsd disposition</u>		
E. REAL ESTATE (MUST PROVIDE LEGAL DESCRIPTION TO COURT)						
REAL ESTATE	<u>Pl's prpsd value</u>	<u>Pl's prpsd disposition</u>	<u>Def's prpsd value</u>	<u>Def's prpsd disposition</u>		
F. LIFE INSURANCE AND RETIREMENT PLANS						
PARTIAL ACCT #	<u>Pl's prpsd value</u>	<u>Pl's prpsd disposition</u>	<u>Def's prpsd value</u>	<u>Def's prpsd disposition</u>		
G. MISCELLANEOUS						
ITEM	<u>Pl's prpsd value</u>	<u>Pl's prpsd disposition</u>	<u>Def's prpsd value</u>	<u>Def's prpsd disposition</u>		
					Total assets:	\$0
						\$0
2. LIABILITIES						
If a party asserts a liability is non-marital, use \$0.00.						
"prpsd" means "proposed"						
Under prpsd disposition, indicate which party you assert should pay each debt (Pl or Def)						

H. MORTGAGES OR CONTRACTS ON REAL ESTATE						
<u>PARTIAL ACCT #</u>	<u>Pl's prpsd value</u>	<u>Pl's prpsd disposition</u>	<u>Def's prpsd value</u>	<u>Def's prpsd disposition</u>		
<u>SECURED CREDITORS (DEBTS)</u>	<u>Pl's prpsd value</u>	<u>Pl's prpsd disposition</u>	<u>Def's prpsd value</u>	<u>Def's prpsd disposition</u>		
<u>UNSECURED CREDITORS (DEBTS)</u>	<u>Pl's prpsd value</u>	<u>Pl's prpsd disposition</u>	<u>Def's prpsd value</u>	<u>Def's prpsd disposition</u>		
Total liabilities:					\$0	\$0
Net marital estate:					\$0	\$0
Equalization calculation:					\$0	\$0