

On April 10, 2019, the Nebraska Supreme Court approved the following rule amendments to the “Other Personnel-Related Policies,” specifically regarding travel policies:

Other Personnel-Related Policies *

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5. Travel Policies *

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C. Mode of Travel

General Policies

Judicial officers and employees may choose any mode of transportation. However, reimbursement of expenses and travel time determinations will be limited to the most reasonable, least-cost mode of transport as determined by the Finance Office. Reimbursement of transportation expenses is also subject to the following limitations:

Air Travel

Air travel shall only be authorized by the State Court Administrator, State Probation Administrator, or Judicial Branch Education Director when it is more economical than surface transportation or will result in a substantial savings of expense or productive time. Reimbursement for commercial air travel will be limited to “coach” fare if such seating is available at the time of ticket purchase. Travel by privately-owned, state-owned, or personally rented airplanes must have the prior approval of the State Court Administrator, State Probation Administrator, or Judicial Branch Education Director. Employees and officers should coordinate with the State Court Administrator, State Probation Administrator, or Judicial Branch Education Director in booking air travel. The submission of a receipt showing booking terms is required for reimbursement.

Personal Automobiles

~~An~~ A judicial officer or an employee will be reimbursed for use of a personal vehicle while on work-related business (this does not include commuting miles). When reimbursement is claimed for mileage by personal automobile, the employee’s number (which can be found on the employee’s paystub), the points between which said mileage occurred, the times of arrival and departure, and the necessity and purpose of such travel should be shown on such claim. The license number, the employee’s NIS number (the NIS number is shown on paycheck stub information available online), the owner of the automobile used, and the rate per mile being claimed should also be shown. Total mileage will be reimbursed at the current mileage rate per mile per vehicle as determined by the Nebraska Supreme Court regardless of the fact that one or more persons may have been transported in the same vehicle. Funds expended for parking may be claimed in addition to mileage.

Mileage reimbursement will be based on the following definitions:

A primary work site is a judicial officer’s or an employee’s principal place of business or assigned headquarter office.

A secondary work site is any other place a judicial officer or an employee is required to report to work.

A temporary work site is a short-term assigned work site in addition to a judicial officer's or an employee's primary work site.

An employee's supervisor determines which site is the primary work site. All other sites are considered secondary work sites for mileage reimbursement purpose. The Nebraska Supreme Court or the Judicial Resources Commission determines the primary work site of judicial officers.

Mileage from a judicial officer or an employee's residence to a primary work site and return is considered commuting by the IRS and not reimbursable. (See State Vehicle section below for more information regarding commuting.)

Mileage from a judicial officer or an employee's residence to a secondary or temporary work site and return, when the distance from home to the secondary or temporary work site is longer than from home to the primary work site, is reimbursable with the following limitation. Reimbursement is limited to the DIFFERENCE of mileage from home to the primary work site as compared to the mileage from home to the secondary or temporary work site.

Mileage from a primary work site to a secondary or temporary work site is reimbursable with the following limitation: Work must be conducted at both locations.

When a judicial officer or an employee is called to work duty during non-work hours, such as juvenile intake, OPG intake, or other on-call responsibilities, the entire actual mileage is reimbursable.

If an a judicial officer or an employee chooses an alternative mode of transportation to use his or her personal automobile in lieu of air travel, even though air travel is a more economical method of transportation, the judicial officer or employee will be reimbursed only the amount equal to the cost of air travel the airfare. Other expenses such as lodging and meals that may be incurred because of traveling by the alternative mode of transportation personal automobile will not be reimbursed. Extra days spent for personal travel outside of the scheduled training, conference, or business meeting dates will not be considered work time and are not reimbursable. Employees electing to utilize modes of transportation resulting in additional days of travel may also be required to claim leave for the extra days of travel incurred.

It is recommended that, if a state vehicle is available, it be used in lieu of a personal vehicle when traveling in excess of 50 miles. When an employee is required, by a supervisor, to use a state vehicle and the employee chooses to use a personal vehicle, the personal vehicle mileage will not be reimbursed.

State Vehicles

No reimbursement for mileage will be allowed when such mileage accrues while using an automobile owned by the State of Nebraska.

Permanent state vehicle assignment will be considered when a vehicle is required for a period of 30 days or longer, will travel a minimum of 1,000 miles, and will be utilized 17 working days monthly.

Requests for permanently assigned vehicles should be submitted to the Administrative Office of the Courts/Probation at least 20 working days in advance of the required date. Requests should include the date the vehicle is desired; the type of vehicle desired, i.e., compact, intermediate, or regular sedan, et cetera; the estimated monthly mileage; the name of the principal driver; and the office location.

Personal use of any state-owned vehicle is prohibited by statute and is a Class V misdemeanor. See Neb. Rev. Stat. §_81-1024 (~~Reissue 1999~~).

Whenever a state vehicle is permanently assigned to an officer or employee of the court, additional policies regarding the use of a state vehicle should be requested from the Administrative Office of the Courts/Probation.

Officers and employees are encouraged to carpool for travel to events, and the Administrative Office of the Courts/Probation reserves the right to require carpooling with state vehicles for specified functions.

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