

Technical rule amendments adopted November 17, 2021, to the rule amendments adopted June 9, 2021, all effective January 1, 2022.

CHAPTER 6: TRIAL COURTS

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Article 15: Uniform District Court Rules of Practice and Procedure.

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§ 6-1503. Pleadings.

(A) Form.

(1) All pleadings filed electronically with the district court shall comply with Neb. Ct. R. App. P. § 2-103, (General formatting and service rules), as to page size, text, fonts, margins, and hyperlinking and bookmarks.

(2) Paper pleadings may only be filed when the self-represented party is not a registered user of the court-authorized service provider. All pleadings filed in paper format shall be on white 8½ x 11-inch paper; printed on only one side of each sheet, and shall be bound by a paper clip and not stapled. Paper pleadings shall comply with all formatting requirements of § 2-103(A), and pages shall be sequentially numbered with placement of the page number at the bottom center of the page. ~~in not less than 12 point font or type which is black in color and double spaced.~~ Margins shall be at least 1 inch at the sides, top, ~~and bottom.~~ Exhibits attached to pleadings shall be similarly prepared in permanent form, shall be readable, and shall not be subject to unusual fading or deterioration.

(B) Identification of Pleadings: All complaints and petitions offered for filing shall plainly show the caption of the case, a description or designation of the contents, and on whose behalf they are filed. All further pleadings shall show the number of the case .

(C) Orders: All proposed orders shall be by separate document and not a part of any other pleadings.

(D) Copies.

(1) For electronically filed cases in a civil action, the clerk shall provide copies of the initial pleading, together with all exhibits, or shall return the summons to the filing party electronically for attachment of copies for service.

(2) For cases not filed electronically, upon the initial filing of a civil action, there shall be presented to the clerk clear and legible duplicate copies of each pleading, together with all exhibits, in sufficient number to provide one copy for each adverse party.

(3) After the filing of the initial pleading, all other pleadings shall be served upon all opposing parties or their counsel pursuant to Neb. Ct. R. Pldg. § 6-1105. Proof of service shall be as provided in § 6-1105(d).

(E) Identification of Attorney: The name, address, Nebraska attorney identification number, email address, and the telephone number of the attorney handling the matter shall be stated on each pleading. Signatures shall be as provided in Neb. Ct. R. App. P. § 2-24001(M).

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§ 6-1510. Withdrawal of counsel.

(A) Upon motion for withdrawal and notice to all counsel and the client involved, an attorney who has appeared of record in a case may be given leave to withdraw for good cause shown after filing with the clerk the motion, notice of hearing, and proof of service upon opposing counsel and the client involved. The motion shall certify that counsel has served the client and all counsel or self-represented parties, and shall include the client's current mailing address and whether there is a hearing currently scheduled in the matter.

(B) Upon entry of any judgment or final order in any case, and after the time for appeal has expired, the attorney of record shall no longer be deemed to continue as the attorney of record unless he or she shall have entered a new appearance in the case.

(C) When an attorney is discharged by his or her client, the attorney shall forthwith file notice thereof in the case and serve all opposing counsel and/or self-represented parties.

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§ 6-1520. Transcript and bill of exceptions review; copies at litigant's expense.

(A) ~~If a litigant~~ Any person who does not have access to the court-authorized service provider, ~~such litigant is entitled to~~ may inspect the electronic transcript and bill of exceptions ~~in his or her case~~ at the office of the clerk of the trial court at the computer terminal provided. Confidential or sealed records shall not be inspected except by leave of court. Paper copies of a transcript or bill of exceptions shall not be printed by the clerk unless the requestor pays for a copy of the requested record.

If ~~the~~ a litigant has been allowed to proceed in forma pauperis in the action in which the request for a record has been made, a copy shall be printed by the clerk at no cost to the litigant. Except for good cause shown, any additional copies of the transcript and/or the bill of exceptions once provided to a litigant on an in forma pauperis basis shall be prepared at the litigant's costs.

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§ 6-1521. Protection of personal and financial information in civil court records.

The following privacy rules shall apply to all pleadings, documents, exhibits, court orders, judgments, and decrees filed in all civil actions in the district courts of Nebraska:

(A) This rule seeks to prevent birth dates, gender, Social Security numbers, and financial account numbers of all persons, including minor children, from being included in court records generally available to the public.

(B) Separate document. The personal and financial information identified in § 6-1521(A) shall be set forth in a separate document as set forth in Appendix 3 to these rules.

(1) Electronic submission. Such separate document shall be submitted electronically as provided by Neb. Ct. R. ~~App. P.~~ § 2-210.

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(F) The name, birth date, gender, and Social Security number information of parties sought to be protected by this rule may be furnished to the clerk of the court by the parties prior to issuance of any order or decree. This information shall be furnished by submitting the form provided in Appendix 3. Protection of this information shall be as set forth in § 6-1521(B). Where a party or counsel is required by statute or rule to furnish information identified in § 6-1521(A) to a court or clerk of the court but such information is not required to be filed, the clerk of the court shall not place such information in the court file or allow such information to be accessible to the public.

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§ 6-1524. Protection of personal and financial information in criminal records.

The following privacy rules shall apply to all pleadings and documents filed in all criminal actions in the district courts of Nebraska.

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(C) Victim Information. Personal identifying information, other than a victim’s name, shall be prevented from being disclosed on pleadings and documents filed in criminal actions that may be available to the public. Victims eligible for protection are defined in Neb. Rev. Stat. § 29-119 (Cum. Supp. 2014). The Crime Victim Information Form, as set forth in Appendix 5 shall:

- (1) be completed by the County Attorney (or deputy) at initial filing;
- (2) be separately tendered with any such pleading or other document, pursuant to Neb. Ct. R. ~~App-P~~ § 2-210;

(3) always have the following language visible, “THIS DOCUMENT IS CONFIDENTIAL AND SHALL NOT BE PART OF THE COURT FILE OR PROVIDED TO THE PUBLIC PURSUANT TO N.R.S 81-1848.” The clerk of the court shall keep the document separate from the case file but accessible to the judges and court staff. If the document is submitted in electronic form, or converted from paper form to electronic form, the electronic document or the data contained therein may be reproduced or stored in JUSTICE or other court case management system-. Such document, image, or data shall be electronically marked and shall not be accessible or viewable by the public.

The personal identifying information identified in Crime Victim Information Form, Appendix 5, shall not be included in any court order or judgment.

(D) Filings Made Under Seal. The court may, on its own motion or for good cause shown, order that a filing be made under seal without redaction. See Neb. Ct. R. ~~App-P~~ § 2-210. The court may later unseal the filing or order the person who made the filing to file a redacted version for the public record.

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§ 6-1525. Appointment of counsel in criminal cases; and application for fees by appointed counsel.

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(D) Before the claim of any attorney appointed by the court is allowed in criminal ~~and juvenile~~ matters, such attorney shall file with the clerk, and serve upon the county attorney, a written application for fees, certified to be true and correct, stating an itemization of the services provided (for interim applications, a general itemization), time expended, and expenses incurred in the case. Counsel shall also state in the application that counsel has not received and has no contract for the payment of any compensation by such defendant or anyone in the defendant’s behalf or, if counsel has received any fee or has a contract for the payment of same, shall disclose the same fully so that the proper credit may be taken on counsel’s application. If a hearing is required, the time and date of hearing shall be set by the court and notice given by court order or notice of hearing.

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