

MINUTES OF THE ANNUAL MEETING
OF
THE NEBRASKA JUDICIAL RESOURCES COMMISSION
DECEMBER 11, 2012

The annual meeting of the Nebraska Judicial Resources Commission was held on December 11, 2012, in Room 1507, State Capitol in Lincoln, Nebraska, with remote sites in Omaha, Nebraska, Scottsbluff, Nebraska, Hastings, Nebraska, and North Platte, Nebraska, at the hour of 10:00 o'clock A.M. There was a short pause while the audio connection to the remote sites was repaired.

Judge McCormack called the meeting to order in Room 1507, State Capitol Building in Lincoln, Nebraska. Roll call by the Secretary:

PRESENT

Judge McCormack
Judge McDermott
Judge O'Neal
Judge Samson
Riko Bishop
Thomas Hoarty
Wayne Mark
Steven Mattoon
Robert Parker
Mark Sipple
Richard Carter
Jayne Mann
Amy Schlichting
Darlene Starman
Brian Phares

ABSENT

Mike Day
Lori Scherer

The Chairman called for approval of the minutes of the meeting of June 5, 2012. It was moved by Judge O'Neal, and seconded by Judge Samson that the minutes be approved. Voting yes, all present.

The Chairman announced that due to the expiration of the two year term of Mark Sipple as Vice-chairman and the expiration of the term of Judge McDermott as Secretary the Commission needed to determine whether to appoint them to additional terms or appoint a new vice-chairman and secretary. It was moved by Mr. Phares, seconded by Ms. Starman, that Mr. Sipple be reappointed as vice-chairman and Judge McDermott be reappointed as secretary for additional two year terms. Motion carried.

Chairman announced that the Commission would consider whether or not the caseload statistics warranted the filling of the judicial vacancy in the County Court of the 12th Judicial District of the State of Nebraska, by virtue of the retirement of Judge Charles Plantz which matter had been tabled at the previous meeting. Public hearing was opened. The Chairman briefly interrupted the testimony to identify for the record Exhibits 1 through 8 which would be a part of the record of these proceedings. Testimony in favor of filling of the vacancy was offered by a number of proponents both in Lincoln and from remote sites. After brief discussion by the Commission, the Chief Justice was asked to testify and answer questions from the Commission members. The Chief explained that the Supreme Court was requesting that the matter continue to be tabled until the Legislature could consider this issue in the context of the total budget and resource requests of the Judicial Branch. The public testimony was then closed. After lengthy discussion by the Commission, it was moved by Mr. Mark, seconded by Mr. Phares that the Commission declare that a vacancy exists in the county court of the 12th Judicial District, and to recommend that such vacancy be filled with its primary office to be located in the city of Alliance, Nebraska. On roll call: Voting Yes: Judge O'Neal, Judge Samson, Riko Bishop, Wayne Mark, Steven Mattoon, Robert Parker, Mark

Sipple, Richard Carter, Brian Phares, and Amy Schlichting; Voting No: Judge McCormack, Judge McDermott, Thomas Hoarty, Jayne Mann, and Darlene Starman. Motion carried.

The Chairman announced the Commission would turn its attention to item V on the agenda and whether the Commission should consider the items set out in Section 24-1205 Neb. Rev. Stat. and make any recommendations to the Legislature. Judge McDermott moved that the boundaries of the judicial districts of the district and county courts of the State of Nebraska, excluding the separate juvenile court districts, be amended to conform to the six Supreme Court Districts of the State. Second by Judge McCormack. Dr. Liz Neeley was called to testify on the 2007 Bar Commission report. After discussion by the Commission it was moved by Judge Samson, seconded by Mr. Carter, that the matter be tabled to a future meeting in order for the Commission to gather facts and input on the proposal. Motion carried. Mr. Phares asked that the subject be placed on the next regular meeting as a discussion item and not an action item. It was the consensus of the Commission that the suggestion was well taken and that the agenda of the January 14, 2013, meeting would show discussion of Judge McDermott's motion but not as an item upon which any action would be taken.

There being no further business to come before the Commission, it was moved by Mr. Phares and seconded by Mr. Mark that the Commission stand adjourned. Voting yes, all present. Motion carried. Meeting adjourned.

Respectfully submitted:

A handwritten signature in black ink, reading "Patrick R. McDermott". The signature is written in a cursive style with a large, stylized initial "P".

Judge Patrick McDermott, Secretary