

2013-2015

Nebraska Supreme Court
Strategic Agenda



NEBRASKA JUDICIAL BRANCH STRATEGIC AGENDA 2013-2015

The Nebraska Judicial Branch has six overarching goals for its 2013-2015 strategic agenda. This document identifies those goals and their respective objectives and initiatives. It is essential that in the twenty-first century, the provision of justice is sustained and maintained through a system of impartial, fair, and accessible courts and related services in order to achieve community safety, promote the general welfare, and encourage civility among people. The six overarching goals of the Nebraska Judicial Branch are:

Goal 1: Providing Access to Swift, Fair Justice

Goal 2: Protecting Children and Vulnerable Adults

Goal 3: Addressing Community Safety

Goal 4: Being Accountable to the Public

Goal 5: Strengthening Communication with Citizens and Government

Goal 6: Regulating the Legal Profession



GOAL 1: PROVIDING ACCESS TO SWIFT, FAIR JUSTICE



A more detailed strategic plan for statewide court technology is available on the Judicial Branch Web site:
www.supremecourt.ne.gov

The role of courts is to swiftly and fairly resolve cases. To accomplish this goal the courts must be impartial, efficient, and accessible for the user. Our judicial system is based upon the principle that all citizens coming before the courts are entitled to equal justice. Courts must ensure that the accused fully understand their rights and that those rights are protected. Courts must provide meaningful access to all, ensuring that no litigant is denied justice due to the lack of counsel or the inability to understand legal proceedings. Victims of crime should have access to resources to assist them through the criminal process. Participants in the court process should have physical access to safe, secure courthouses.

To that end, this strategic goal focuses on the following areas: providing adequate funding for the Judicial Branch; implementing and maintaining modern technology to support the internal work of the courts; enhancing technological access for external court users; processing and managing cases efficiently to resolve disputes in a fair and timely manner; continuously improving access to justice for limited English-speaking litigants; ensuring quality continuing education for judges and staff of the Judicial Branch; addressing bias in the judicial system; providing meaningful assistance to self-represented litigants; integrating alternative dispute resolution approaches to improve how trial and appellate courts conduct their business; and planning for courthouse accessibility and security.

- Funding for the Judicial Branch
- Technology and the Courts
- Fairness in the Judicial System
- Constitutional Rights and Criminal Justice
- Case Management Procedures
- Alternative Dispute Resolution
- Self-Represented Litigants
- Limited English-Speaking Litigants
 - Courthouse Accessibility, Security, and Continuity of Operations
- Judicial Branch Education

GOAL 2: PROTECTING CHILDREN AND VULNERABLE ADULTS

Nebraska's children and families are precious resources. Courts must be able to act swiftly and justly in child abuse and neglect cases so children in these vulnerable situations can be kept safe and cared for while seeking permanency. At the same time, courts must ensure that the rights of the parents are being addressed. In domestic relations cases in which children are involved, courts must be able to offer procedures and resources to decrease children's exposure to parental conflict, as well as make timely decisions so parents have certainty in their roles and responsibilities. Teens involved in juvenile court proceedings require a unique array of interventions from the court and community to address the legal and habilitative concerns of these young people. Judges and court staff must be knowledgeable about the legal, societal, and familial impact of domestic violence on parents and children involved in dissolution or child welfare matters. Additionally, protecting children includes an active role by the court to support permanency for children through legal adoption after timely relinquishment or termination of parental rights. Vulnerable adults are those individuals who, due to disability or aging, require involvement by the courts in terms of conservatorships, guardianships, and related actions. In guardianship and conservatorship matters, a higher level of initial and annual court scrutiny is needed to provide for the protection of this vulnerable population. As the population of our state continues to age, the impact on courts in these arenas will also increase.

- Abused and Neglected Children
- Children and Families in Domestic Relations Cases
- Juvenile Justice
- Adoption and Termination of Parental Rights
- Addressing the Needs of Vulnerable Adults



GOAL 3: ADDRESSING COMMUNITY SAFETY



Courts are required to determine the appropriate sanctions or disposition for individuals who violate the law. When a court determines probation to be the most appropriate action, it must ensure that the individual offender not only is held accountable, but also is offered rehabilitative services designed to reduce or eliminate future criminal activity. Those offenders, including youth, with histories of substance abuse or mental illness present a unique challenge.

Innovative approaches, such as specialized probation programs, restorative justice, or problem-solving courts, must be considered to reduce offender recidivism and promote public safety. Successful management of juvenile and adult probation populations requires following proven principles of effective community supervision and using treatment and rehabilitation programs supported by research and experience. It also requires accurate, relevant, and timely information.

Initiatives that enhance probation supervision call for increased technology, advanced officer skill competency, access to services, and improved methods to assist probationers with special needs.

In Nebraska, as well as across the country, more specialty courts and specialized probation programs have been created. Problem-solving and drug courts result in a significant costs savings to the courts and for the state. It is estimated that a tremendous cost savings for the state results when a case is handled through drug court versus incarcerating an offender for one year. Recidivism rates for drug court participants also are shown to be less than those incarcerated. Presently, Nebraska has 24 problem-solving courts, most designed to work with adult offenders, with some addressing the needs of juveniles and families. Currently, problem-solving courts are available in 11 of the 12 judicial districts in the state. Similarly, probation programs specializing in the management of adults and youth who sexually harm, abuse substances or engage in domestic violence, incorporate proven practices for risk-reduction and are yielding positive outcomes.

- Problem-Solving and Drug Courts
- Probation Services
- Community-Based Programs and Field Services

GOAL 4: BEING ACCOUNTABLE TO THE PUBLIC

The Judicial Branch, like the Executive and Legislative Branches of government, must be accountable to the public. This goal focuses on the obligation of courts and probation to ensure that staff at all levels are competent, professional, fiscally responsible, and customer service oriented; to establish standards by which court and probation operations and performance can be measured; to keep all branches of government and the public informed of Judicial Branch operations, programs, and initiatives; and to develop a clear strategic agenda that fosters public trust and confidence. Confidence in our judges is at the heart of maintaining the public's trust in the Judicial Branch. Allegations of misconduct must be investigated and resolved timely and fairly.

- Customer Service Oriented Workforce
- Performance Standards for the Judicial Branch
- Financial Accountability
- Professional Ethics and Conduct Codes
- Efficient Business Practices



GOAL 5: STRENGTHENING COMMUNICATION WITH CITIZENS AND WITHIN GOVERNMENT



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While the Judicial Branch is a branch of government independent from the Executive and Legislative Branches, it does not exist in isolation. Courts exist to serve the public and cannot serve effectively if meaningful communication between the branches, within the branch, and with the public does not take place. This goal focuses on enhancing Judicial Branch communication with the Executive and Legislative Branches of state government, with all other levels of government, with the public, and with other courts.

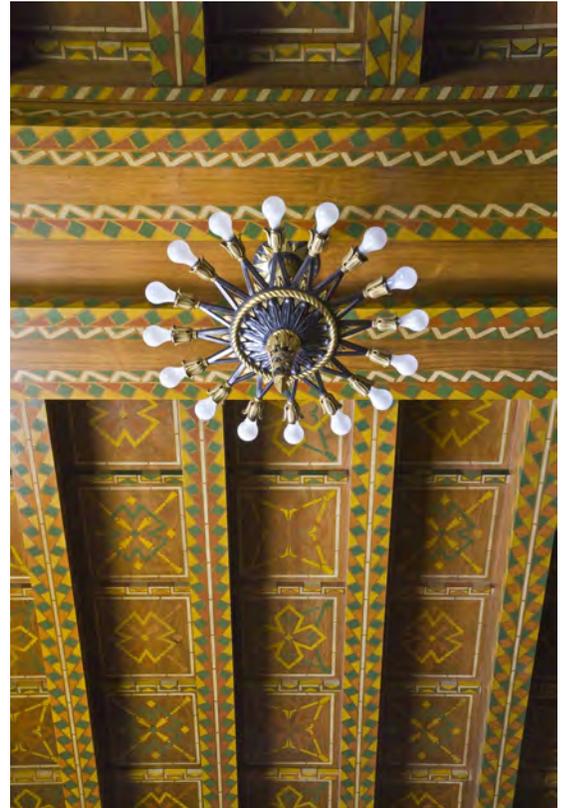
The Judicial Branch also should foster public understanding of the role of the branch and how it functions through community outreach and education programs. The Judicial Branch should provide information regarding the duties of a judge, the jury system, and the merit selection process. The court system should strive to share information with the public while safeguarding private information of court participants including victims of crimes.

External Communications

- Executive and the Legislative Branches
- Local Governmental Groups, Specifically County Governmental Organizations
- Programs and Initiatives for Public Understanding of the Judicial Branch

Internal Communications

- Coordination between the Chief Justice and the Presiding Judges
- Open Communication of Information between Court and Probation Administration and Statewide Judicial Branch Staff



GOAL 6: REGULATING THE LEGAL PROFESSION

The Judicial Branch has long recognized the indispensable role of the legal profession in protecting individual rights and liberties in a free society. We continue in that tradition. Because the Nebraska Supreme Court regulates the practice of law, the Court must determine how the legal profession can best serve the public. This strategic goal requires ongoing examination of existing rules governing the practice of law; addressing attorney admission and disciplinary systems; and continued implementation of the Mandatory Continuing Legal Education (MCLE) rule.

- Attorney Admissions Process
- Counsel for Discipline
- Mandatory Continuing Legal Education
- Rules of Practice in Appellate and Trial Courts



Nebraska Supreme Court in the State Capitol, Lincoln, Nebraska



“...[O]ur courts perform the constitutionally mandated role of providing access to justice for all Nebraska citizens. And I want to reiterate that the judicial branch is committed to efficiently fulfilling that critical role.

We continue to be committed to cooperation, to making the judicial branch and its services accessible and affordable, and to being held accountable.”

*Chief Justice Mike Heavican,
State of the Judiciary Address
January 2012*

The Nebraska Supreme Court wishes to acknowledge and thank the following Committees for integral participation in planning for the future of the Judicial Branch of Government:

Chief Justice's Leadership Committee

Supreme Court

Chief Justice Michael G. Heavican and
Associate Justices of the Supreme Court

Court of Appeals

Chief Judge Everett O. Inbody

Workers' Compensation Court

Presiding Judge Lauren K. Van Norman and
Court Administrator Glenn W. Morton, Jr.

Nebraska District Judges' Association

President W. Mark Ashford, President-Elect Teresa K. Luther,
Immediate Past President William B. Zastera,
Legislative Committee Co-Chairs James D. Livingston and Gary B. Randall

Nebraska County Judges' Association

President James M. Worden, Vice-President Susan Bazis,
Immediate Past President Donna F. Taylor,
Legislative Committee Co-Chairs Marcena M. Hendrix and
Patrick R. McDermott

Separate Juvenile Court Judges' Association

President Vernon Daniels, Immediate Past President Robert B. O'Neal,
Legislative Committee Chair Lawrence D. Gendler

Presiding Judge Representatives

James G. Kube, District Court; Michael L. Offner, County Court;
Reggie L. Ryder, Separate Juvenile Court

Staff of the Administrative Office of the Courts and Probation

Supreme Court Project Committees Case Management

Curtis L. Maschman, County Court
Patricia A. Lamberty, Retired, District Court

Guardianship/Conservatorship

Susan Bazis, County Court

Children/Commission on Children in the Courts

Everett O. Inbody, Court of Appeals

Children/Through the Eyes of Child Initiative

Lawrence D. Gendler, Separate Juvenile Court

Chief Justice's Leadership Committee (continued)**Probation Evidence-Based Practices Committee**

Jodi Nelson, District Court

Problem-Solving/Drug Court Committee

James E. Doyle IV, District Court

Technology Committee

William B. Cassel, Supreme Court

Interpreter Advisory Committee

William B. Cassel, Supreme Court

Minority Justice Implementation Committee

John F. Irwin, Court of Appeals

Pro Se Advisory Implementation Committee

Frankie J. Moore and Richard D. Sievers, Court of Appeals

Media/Community Outreach PEOPLE

Todd J. Hutton, County Court

Dispute Resolution/Parenting Act Committee

Michael W. Pirtle, Court of Appeals

Judicial Branch Education Committee

Michael W. Pirtle, Court of Appeals

Mandatory Continuing Legal Education

Kenneth C. Stephan, Supreme Court

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Liz Neeley, Consultant, Policy Committee

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Gary B. Randall, District Court, Centralization Committee

Thomas A. Otepka, District Court, Centralization Committee

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