



Administrative Memorandum

Administrative Memorandum 07-02
February 2007

Nebraska Supreme Court
Administrative Office of the Courts & Probation
P. O. Box 98910
Lincoln, NE 68509
402-471-3730

Michael G. Heavican, Chief Justice
Janice K. Walker, State Court Administrator
Ellen Fabian Brokofsky, State Probation Administrator

Note: The Administrative Memorandum is sent to court staff via email only. Judges will continue to receive printed copies for the present time. If you delete your email or lose your copy, memos can be found on the new Web site: www.supremecourt.ne.gov.

NEBRASKA SUPREME COURT BUDGET

Legislative Budget Request

A representative cross section of employees and interested individuals testified in favor of the Nebraska Supreme Court's legislative budget request during the Appropriations Committee hearing on the afternoon of February 26, 2007.

Senator Brad Ashford introduced himself as Chairman of the Judiciary Committee, explaining that his committee has a special bond with the judiciary. The majority of bills heard in the judiciary committee have direct impact on the judicial branch and many of these bills stand to increase the workload of the court system.

Chief Justice Heavican followed with an overview of this year's general fund priorities calling for a salary increase for all state court employees as the number one priority for the branch. Other funding priorities outlined for the Office of the State Court Administrator are: an increase for interpreter payments, replacement money for digital electronic recording equipment and additional funding for county court staff positions.

The Office of Probation's primary requests, in addition to staff salary increases, include: reclassification of Intensive Supervision Probation officers, additional training funds across the board for probation staff, and a stipend for officers assigned to pager duty. The Chief Justice pointed out that the Supreme Court has the 4th largest workforce in Nebraska state government and is allocated only 2% of the State's general fund appropriation which, for the current fiscal year, totals \$62,225,402. During FY2005-2006, Nebraska courts collected \$51,719,493 in fines and fees that were distributed between the State's general fund, schools, counties, and cities.

Before concluding his testimony, the Chief Justice reiterated that, although additional monies were being requested, the main priority of the Court is to increase the salary of existing staff.

Kermit Brashear, Chairman of the Community Corrections Council, spoke to the great strides being made through probation and the courts with community corrections. Brashear was followed by Nebraska State Bar Association incoming President, Wayne Mark, who addressed the importance of access to the courts for all Nebraskans (touching on the current situation where not every community has a full-time county court office). Mr. Mark also outlined the efforts of the Court in working with the Minority Justice Task Force, the need for fair compensation for probation officers, and the opportunity for an additional child support referee within the system.

Chief Lancaster County Probation Officer, Steve Rowoldt, Douglas County Judicial Administrator Leslie Douglas, and Official Court Reporter Gary Latimer represented each of their respective employee groups outlining the need for equitable pay and reduction in staff turnover throughout the court system.

Hon. Patrick McDermott, County Judge in the 5th Judicial District, testified extensively on the need to recruit, train and retain experienced and competent staff in order to effectively serve the public in the way that the courts would like to serve the citizens of the State of Nebraska.

Senators of the Appropriations Committee who were present for the judicial branch testimony included: Chairperson, Sen. Lavon Heidemann; Vice Chairperson, Sen. Lowen Kruse; Sen. L. Patrick Engel; Sen. Tony Fulton; Sen. John N. Harms; Sen. Danielle Nantkes; Sen. John E. Nelson; and, Sen. John Synowiecki. Sen. John M. Wightman was not in attendance.

SPECIAL PROJECTS AND EVENTS

Fifth Grade Job Shadow

Trial court employees are still needed to serve as coordinators for the Sixth Annual Law Day Job Shadowing project. This unique program for local fifth graders, co-sponsored by the Nebraska Supreme Court and the Nebraska State Bar Foundation PEOPLE Committee, is held annually on or near May 1 (Law Day). Students shadow judges, attorneys, and other legal professionals to learn more about skills necessary for a career in the field of law. The following are included among the coordinator activities:

- Inviting and confirming host lawyers and judges
- Serving as the liaison between the hosts and the classroom teacher
- Disseminating a suggested activities sheet to hosts for the day of job shadowing
- Facilitating communication
- Documenting the activity

If you are not already committed to a job shadowing project and would like to participate, please contact Cindy at the Nebraska State Bar Foundation, 402-475-1042, or cindy@nebarfnd.org.

Through the Eyes of the Child Initiative

Web Site

A Web site specifically designed for teams participating in the Eyes of the Child Initiative is currently under development. The Judicial Branch Web site contains a small description under "Special Court Projects." The page contains links to the project leadership, the Judicial News report on the Summit last September and the following description: *A principal tenet of the "Through the Eyes of the Child" Initiative is that Nebraska's judges must take an active leadership role in improving the court process in child protection cases. Judges have enormous respect from the community and court stakeholders, as well as great responsibility in the judicial system. Judges have the greatest ability to improve the lives of foster children through systems change and procedural improvements within their courts. In order to bring about change within the system, the initiative is initiated throughout the state.*

JUSTICE Computer Programming Additions

The JUSTICE programming team and business analysts have worked with Initiative staff to finalize measurements and definitions to be included in the statewide computer system. Programming is to be completed by summer so that performance measurements and future reports can be a topic at the regional conferences.

Collaboration with HHSS

The Through the Eyes of the Child Initiative is collaborating with HHSS to have better dissemination of information between the social services and court systems, and specifically is working with HHSS in its rollout of the COMPASS Web site, which contains federal and state data measures.

Quarterly Action Report

The Quarterly Action Report was finalized by the Advisory Group and sent to team secretaries. The first Quarterly Action Report is due at the end of March. The purpose of the Report is to have teams provide feedback and updates on their progress so that Initiative staff can assess implementation of best practices and tailor activities and training to the needs of the teams.

Spreading the Word

Initiative staff director, Kelli Hauptman, will be making presentations on the Initiative on March 8 to a service providers' association and on April 27 to all of Nebraska's CASA directors. The Chief Justice provided information to the Health and Human Services Committee of the Legislature last month.

Contact Kelli Hauptman, Staff Attorney, Center on Children, Families and the Law, 402-472-3927, khauptman2@unlnotes.unl.edu.

Guardian Ad Litem Training Requirement Deadline Extended

The Nebraska Supreme Court has extended the deadline for completion of training for guardians ad litem for children in the abuse/neglect system from April, 2007, to January 1, 2008.

Information about training schedules and registration will be provided as soon as it is available.

Contact Dr. Vicky Weisz, Research Professor, CCFL, 402-472-9814, vweisz1@unl.edu.

PEOPLE

Retirements

Barb Nielsen, Business Analyst, State Court Administrator's Office, effective March 31, 2007.

Ken Wade, Associate Administrator, State Court Administrator's Office, effective March 31, 2007.

Hon. Robert Hippe, District Judge, 12th Judicial District, effective May 1, 2007.

Hon. Cloyd Clark, County Judge, 11th Judicial District, effective June 1, 2007.

New Court Personnel

Dace Burdic, Administrative Secretary, Judicial Branch Education, Lincoln, effective February 20, 2007.

New Probation Personnel

Gene Cotter, appointed Supervisor, District #6, Lincoln, effective February 20, 2007.

Andrea Degner, Probation Officer, Region D ISP, Lincoln, effective February 20, 2007.

Darci Poland, appointed Supervisor, Region E ISP, Omaha, effective February 20, 2007.

Linda Buehler, appointed Region A ISP Coordinator, Gering, effective March 1, 2007.

POLICY AND RULE CHANGES

Child Support Guidelines for Comment

The 2006 Nebraska Child Support Advisory Commission has requested revisions to the Nebraska Child Support Guidelines.

The notice of the suggested revisions and copy of the report of the 2006 Nebraska Child Support Advisory Commission is available on the Court's Web site. A printed copy may be reviewed in the Office of the Clerk of the Supreme Court and Court of Appeals upon request.

Anyone desiring to comment on the proposed revisions should do so in writing to the office of the Clerk of the Supreme Court and Court of Appeals, P.O. Box 98910, Lincoln, Nebraska 68509-8910, or via e-mail to las mussen@nsc.state.ne.us, no later than March 30, 2007.

Problem-Solving Courts

The Supreme Court rule regarding Problem-Solving Courts was adopted January 24, 2007, and scheduled to become effective on March 1, 2007.

District Court, Fourth Judicial District

Amendments to Rules 4-3 and 4-10 of the District Court of the Fourth Judicial District were approved January 18, 2007.

Interpreter Fees and Payment

Changes to the Nebraska Supreme Court's Interpreter Fee Schedule and Payment Policy were adopted January 4, 2007, and will become effective July 1, 2007. Rule amendments to 1 and 2 of the Rules Relating to Court Interpreters were adopted July 19, 2006, and will also become effective July 1, 2007.

Rules can be found on the Judicial Branch Web site, www.nebraskasupremecourt.ne.gov under "Supreme Court Rules."

COMMITTEES • COMMISSIONS

Judicial Branch Education

District Judge John Colborn of Lincoln was appointed to the Judicial Branch Education Advisory Committee following the resignation of Judge John Icenogle.

JUDICIAL BRANCH EDUCATION

Judicial Branch Education Advisory Committee

The JBE Advisory Committee wants special recognition to go to Judge John Icenogle for his substantial contribution to the establishment of Judicial Branch Education in Nebraska. Judge Icenogle served on the JBE Advisory Committee since its origination and worked to create the rules that govern the office. He recently submitted his resignation effective March 1, 2008. His recognition of the need for Judicial Branch Education and his unique outlook have been real assets to the committee from its inception. Judge Icenogle will be missed.

JUSTICE Registration On-Line

Registration for JUSTICE training is now done on-line. All district court and county court personnel wanting to register need to follow the links from the Supreme Court home page through Judicial Branch Education. For questions regarding how to navigate the site, call JBE at 402-471-3137.

Forms On-Line

The JBE link on the Judicial Branch Web site has begun adding new forms for court staff convenience. Two new forms are now available: requesting JBE funds for education and the form for requesting credit for education not sponsored by JBE.

JBE Hires New Administrative Secretary

Dace Burdic has been hired as the new Administrative Secretary for Judicial Branch Education. We are looking forward to her assistance. Ms. Burdic will be handling the JUSTICE training registration, as well as registration duties for JBE.

Contact Carole McMahon-Boies, Director, Judicial Branch Education, 402-471-3072, cmcmahonboies@nsc.state.ne.us.

TECHNOLOGY

E-Filing in Lancaster County

The Lancaster County District Court is the first in the state to implement electronic filing. Sarpy County Court will begin e-filing in March of this year.

As of Feb. 12, litigants and the attorneys representing them may electronically file documents directly to the district court at any time of the day, any day of the week, through a product of LexisNexis called 'File & Serve.' Case filing may still be done in the traditional manner at the courthouse.

If the initial two pilot projects meet expectations for cost savings, efficiencies and better service, additional Nebraska courts will be able to institute similar e-filing services.

For the public, this system can create an easier, more flexible access to the court system. The court system should be able to reduce the need to maintain storage space for paper documents and have speedier, more efficient document management.

Contact Bill Miller, Deputy State Court Administrator, 402-471-3049, bmiller@nsc.state.ne.us.

PERSONNEL

Expense Voucher Reminders

Please remember that the following information is **required** on all expense vouchers: Start and stop time for each trip; the reason for your travel; Address Book Number (can be found on your pay stub); Headquarter City (where your court is located); Meal Receipts and/or Meal Log (meals broken down by day); and the reason for your travel.

Contact Eileen Janssen, Administrative Assistant, 402-471-4427, ejanssen@nsc.state.ne.us.

PROBATION

Information Available on the Web

Probation now has a dedicated section of the Judicial Branch Web site, maintained by Probation Administration. Aside from rules (mentioned below), the site contains sections for each division of the office. Given the newness of the site, many of the sections are still under construction. Watch for additions throughout the upcoming year.

Continuous Alcohol Monitoring Devices

Probation Administration's Rules Governing Approval of Continuous Alcohol Monitoring Devices and Means of Installation were approved by the Court. The rules can be found in the Probation section of the Judicial Branch Web site under Origin, Authorization and Rules.

Operations Division

A personal note from Susan Rutledge, Statewide Drug Testing Program Coordinator

Welcome to the world of drug testing. I am Susan Rutledge and was appointed Probation's Statewide Drug Testing Coordinator, a newly-created position, effective January 2, 2007.

My education includes a bachelor's degree in Environmental Health from the University of Nebraska-Lincoln and a master's in Environmental Science from Washington State University in Pullman, Washington. Previously I was employed as a Forensic Scientist with the Department of Health and Human Services here in Lincoln. I also have taught General Chemistry and Analytical Chemistry at Southeast Community College also in Lincoln.

My duties now include evaluating and modifying Probation's present drug testing program. I just completed a cost comparison study evaluating the contracting of drug testing with an external source for use throughout the state. I will be assessing current lab standards along with formulating standards that meet national lab specifications. My work further encompasses disseminating drug testing information, developing a training program for Probation's drug technicians, and ordering drug testing supplies for Probation's drug testing labs throughout the state.

Contact Susan Rutledge, Statewide Drug Testing Program Coordinator, 402-471-2121, srutledge@nsc.state.ne.us.

CALENDAR ITEMS

Judicial Branch Education Meetings/Trainings

April 12, New Clerk Magistrate Orientation, Lincoln
April 13, Appellate Judges' Education Meeting, Quarry Oaks
May 21 - 23, Community Corrections Provider Conference
June 6 - 8, Official Court Reporters' Education Meeting, Norfolk
June 6 - 8, District Judges' Education Meeting, Norfolk
June 6 - 8, Clerks of District Court Summer Workshop, Grand Island
June 26 - 28, County Judges' Education Meeting, South Sioux City
August 1, New Law Clerk Orientation
Sept 19 - 21, Clerk Magistrates' Education Meeting, North Platte
October 17 - 19, Judges' Fall Education Meeting, Lincoln
December 11 - 13, NACO Conference, Lincoln

The dates and locations for the 2008 Judges' Education Meetings have been set and planning is underway for those events. District Judges will meet in Grand Island June 4 - 6, 2008, and the County Judges will meet in Omaha June 25 - 27, 2008.

Contact Carole McMahon-Boies, Director, Judicial Branch Education, 402-471-3072, cmcmahonboies@nsc.state.ne.us.

Probation Education Meetings/Trainings

February 26 - March 2, New Probation Officer training, Kearney
March 7- 8, Motivational Interviewing (MI) training, Bellevue
March 12 - 13, Motivational Interviewing training, Bellevue
March 13 - 16, Level of Service/Case Management Inventory (LS/CMI) training, Scottsbluff

March 19 – 23, New Probation Officer training, Grand Island
March 22 – 23, Motivational Interviewing (MI) training, Bellevue
March 27 – 30, Level of Service/Case Management Inventory (LS/CMI) training, Norfolk
March 30, New Probation Officer orientation, Lincoln
April 3 – 6, Level of Service/Case Management Inventory (LS/CMI) training, Omaha
April 9 – 13, New Probation Officer training, Lincoln
April 12 – 13, Motivational Interviewing (MI) training, Columbus
April 16 – 20, New Probation Officer training, Hastings
April 23 – 26, Level of Service/Case Management Inventory (LS/CMI) training, North Platte
April 24 – 26, Chief Probation Officers' meeting, Lincoln
April 30 – May 3, Level of Service/Case Management Inventory (LS/CMI) training, Hastings
May 21 – 23, Community Corrections & Treatment: An Effective Strategy for Crime Control conference, Lincoln

2007 Court Holidays & Events

April 27, Arbor Day
May 1, Law Day (*not a holiday*)
May 28, Memorial Day
July 4, Independence Day
September 3, Labor Day
September 17, Constitution Day (*not a holiday*)
October 8, Columbus Day
November 12, Veterans Day
November 22 – 23, Thanksgiving Day & Friday following
December 25, Christmas Day

FILING AND REPORTING REQUIREMENTS

- Judicial Financial Interest Statements: Due May 1 for all full-time individuals subject to the Judicial Code of Conduct.
- Statement for Payment of Interpreters: Interpreter to submit between the 1st and 7th day of each month.
- Judges' Cases Under Advisement Reports: Due by the 5th day of each month (reports are compiled and submitted to the Supreme Court).
- Court Reporter Timesheets: Due by the 5th day of each month (judges are to sign time sheets prior to submission).
- Permanently Assigned Vehicle Logs: Due by the 5th day of each month.
- Report of Probate Cases Pending: Due by the 10th day of each month.
- County Court Time Sheets: Due by the 10th day of each month.
- Stenographer Transcription Reports: Due by the 10th day of each month.
- Cash Drawer Short/Long Transactions (County Court only): Due by the 10th day of each month.
- Expense Vouchers: Submit on a monthly basis (rather than combining several months of expenses on one voucher).

ETCETERA

Certificate of Dissolution of Marriage or Annulment (Vital Records Worksheet)

A link to the Certificate of Dissolution of Marriage or Annulment (Vital Records Worksheet) can now be found on the Judicial Branch Web site, linked under General Court Forms. The form resides on the HHSS Web site and will continue to be maintained by Vital Stats. The direct link to the form is <http://www.hhss.ne.gov/ced/HHS-73WorkSheet.pdf>.

This upload request came from clerks through the Supreme Court JUSTICE staff. Please share this information with other clerks and attorneys who need to download and complete the worksheets.

ENCLOSURES

Nebraska Judicial Branch News: Distinguished Judge Awards