



# Administrative Memorandum

Administrative Memorandum 07-5  
May 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*

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*Note: The Administrative Memorandum is sent to court staff via email only. Judges will continue to receive printed copies until September 1, 2007. If you delete your email or lose your copy, memos can be found on the new Web site: [www.supremecourt.ne.gov/community/adminmemos/index.shtml](http://www.supremecourt.ne.gov/community/adminmemos/index.shtml).*

## SPECIAL PROJECTS AND EVENTS

### Through the Eyes of the Child Initiative

The Through the Eyes of the Child Initiative Web site is now live at [www.throughtheeyes.org](http://www.throughtheeyes.org). Although the site is still being developed, the following sections will be permanent fixtures:

- **Spotlight Issue:** Guest authors analyze a current issue and invite online discussion.  
Currently: [There's the Rub: Court-Agency Friction](#), by Mark Ells.  
*It is intended that Spotlight Issues will elicit an interactive discussion of the issues. Please post thoughtful comments about the issues at the end of the article.*
- **Spotlight Team:** The activities of a local team of the Initiative are highlighted.  
Currently: [11th District - Team 3 - McCook](#)
- **Case Law Updates:** Summaries of all Nebraska Supreme Court and Court of Appeals opinions relating to abuse/neglect.  
Currently: [In re Interest of Marcus K and Justin K](#)
- **National and Local News:** Summaries and links to articles relating to the abuse/neglect court system.
- **RAP Sheets:** Summaries of recent academic articles pertinent to the abuse/neglect court system.  
Currently: [Despite Encouraging Trends, Many Children Return to Foster Care After Reunification](#), by Natasha Elkovitch

Currently under construction on the Web site:

- **Team pages:** Local teams will post meeting agendas and minutes, podcasts, and calendars of events. The team pages will be password protected to allow teams to correspond freely.
- **Training:** A section containing podcasting of meetings and conferences, on-line PowerPoint presentations and other Web-based training.
- **Calendar of Events:** Team-based, local and statewide.

If you would like to receive regular e-newsletters about the Initiative and updates on its Web site, please subscribe at the bottom of the home page.

Contact Kelli Hauptman, Staff Attorney, Center on Children, Families and the Law, 402-472-3927, [khauptman2@unlnotes.unl.edu](mailto:khauptman2@unlnotes.unl.edu).

### May is National Drug Court Month in Nebraska

A public proclamation signing ceremony was held on May 16, 2007, in the State Capitol declaring May as Drug Court Month in Nebraska. The proclamation, signed by Governor Dave Heineman, was presented to Statewide Coordinator for Problem-Solving Courts Scott Carlson who accepted on behalf of the seventeen drug courts across Nebraska.

Nebraska currently has a variety of drug and problem-solving courts in over half of the twelve judicial districts across the state. Seventeen adult, juvenile, and family drug courts along with other problem-solving courts can now be found in courthouses from Gering to Omaha, with four more currently under development.

According to the Governor's proclamation, May has been designated as Drug Court Month in honor of the judges, prosecutors, defense attorneys, substance abuse treatment and rehabilitation professionals, law enforcement, probation and other supervision personnel, researchers and educators and community leaders who have dedicated themselves to the drug court movement - all of whom have had a profound impact on the court system and their communities.

### **2007 Law Day Job Shadowing and Essay Contest Events Held**

Programs of the Nebraska State Bar Foundation PEOPLE committee, held in conjunction with the Nebraska Supreme Court, are featured in the enclosed "Judicial News Special Issue".

## **PERSONNEL**

### **Human Resource Changes Made in Administrator's Office**

Effective June 1, 2007, the following are the payroll/benefit contacts for employees:

Kathy Moore will be handling all judges, Supreme Court staff, Court of Appeals staff, official court reporters, and Administrative Office of the Courts staff. Kathy can be reached at [kmoore@nsc.state.ne.us](mailto:kmoore@nsc.state.ne.us) or 402-471-4428.

Eileen Janssen will be handling all county court employees. Eileen can be reached at [ejanssen@nsc.state.ne.us](mailto:ejanssen@nsc.state.ne.us) or 402-471-4427.

## **PEOPLE**

### **Retirements**

*Hon. Cloyd Clark*, County Judge, 11<sup>th</sup> Judicial District, effective June 1, 2007.

*Hon. Paul D. Empson*, District Judge, 12<sup>th</sup> Judicial District, effective June 30, 2007.

### **Trial Court Services Director Hired**

The Administrative Office of the Courts is pleased to announce the hiring of Sheryl Connolly as Trial Court Services Director for Nebraska's judicial system effective June 1<sup>st</sup>. Ms. Connolly is currently the Clerk Magistrate for Cedar County in the 6<sup>th</sup> Judicial District. Her 23-year career with the courts has allowed her to serve in a variety of positions in Lincoln and Omaha before moving to northeast Nebraska where she became clerk magistrate.

A frequent volunteer on a variety of projects supported through the Office of the State Court Administrator, Ms. Connolly presently serves on the Clerk Magistrate's Education Committee, Judicial Branch Education Advisory Committee, and Procedures Manual Committee. Since the mid-90s she has coordinated several law-related education activities in Cedar County, including Law Day Mock Trials, 5<sup>th</sup> Grade Job Shadowing and County Government Day.

Ms. Connolly's experience as both an employee and administrator in large and small courts makes her uniquely qualified to serve the administrative office in the capacity of Trial Court Services Director. Her new position will include monitoring and assisting with the administrative functions of the county courts, separate juvenile courts and district courts. She will work with all areas of the trial courts including case management and workflow, court facility planning, fee and fine collection, coordination of interpreter services, development of court performance measures, and review of policies and procedures.

## POLICY AND RULE CHANGES

### **Supreme Court Rule Amendments Passed or Opened for Comment in May**

#### **Standards for Appointed Counsel in Capital, Other Felony and Misdemeanor Cases**

Comment on sections IV and V(a) and (b) of the proposed Standards for Appointed Counsel in Capital, Other Felony and Misdemeanor Cases. Section IV sets forth indigency attorney fee structures, and section V(a) and (b) addresses reimbursement for expenses in cases involving appointed counsel. Deadline June 15, 2007.

#### **Supreme Court Uniform Garnishment Forms**

Comment on proposed amendments to Supreme Court uniform garnishment forms promulgated pursuant to Neb. Rev. Stat. § 25-1011(3): the Summons and Order of Garnishment, the garnishment interrogatories and the Notice to Judgment Debtor. Deadline June 15, 2007.

#### **Mandatory Continuing Legal Education for Lawyers**

Comment on Proposed Rules Relating to Continuing Legal Education for attorneys admitted to the practice of law in Nebraska. Deadline August 1, 2007.

*The proposed rule changes/additions are available for review on the Nebraska Supreme Court's Web site at [www.supremecourt.ne.gov](http://www.supremecourt.ne.gov) or a hard copy may be reviewed in the office of the Clerk of the Supreme Court and Court of Appeals upon request.*

## JUDICIAL BRANCH EDUCATION

### **Rule Regarding Training Program for Persons Working with Jurors and Juries**

The Supreme Court adopted a rule which requires any person employed by the Nebraska courts or any person volunteering with or working with the courts who may have contact with jurors or juries to complete specialized training by July 1<sup>st</sup>.

Training for bailiffs occurred May 15<sup>th</sup> in Lincoln. A video of the training will be produced by Shawn Doné of the AOC which will be set up to stream from the JBE Web site. Any person who may have contact with jurors or juries which includes clerks, court reporters and sheriffs in addition to the bailiffs who attended the training in Lincoln, must view the training. The video will also be provided in disk format to all courts. Personnel must view the video and complete a questionnaire which is to be returned to JBE.

### **Summer Education Meetings**

The county judges meet in South Sioux City on June 26 - 28. There are essentially two programs running concurrently as the rural judges along with separate juvenile court judges are receiving one program, while the urban judges receive another. The district judges will meet in Norfolk on June 6 - 8. Official court reporters will meet at this time also, and clerks of the district court meet in Grand Island June 6 - 8 as well.

Copies of the agenda/brochures for most of the events are available on-line; check the JBE Web site for details.

*Contact Carole McMahon-Boies, Director, Judicial Branch Education, 402-471-3072, [cmcmahonboies@nsc.state.ne.us](mailto:cmcmahonboies@nsc.state.ne.us).*

## OFFICE OF DISPUTE RESOLUTION

### **Guardian Conservator Education**

The Guardian Conservator Education scheduled in Grand Island on September 18, 2007, has been canceled.

## CALENDAR ITEMS

### **Judicial Branch Education Meetings/Trainings**

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  
August 27 – 29, Capital Case Litigation Seminar, Omaha  
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](mailto:cmcmahonboies@nsc.state.ne.us).

### **Probation Education Meetings/Trainings**

May 29 – June 1, Level of Service/Case Management Inventory (LS/CMI) training, Papillion  
June 4 – 5, Motivational Interviewing, Papillion  
June 11 – 15, Training for Trainers, Lincoln  
June 25 – 29, New Probation Officer Training  
July 23 – 27, New Probation Officer Training

### **2007 Court Holidays & Events**

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**

- 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).

### **ENCLOSURES**

Nebraska Judicial Branch News: Law Day Essay Contest and Job Shadow