**MINUTES OF THE PUBLIC HEARING OF**
**THE NEBRASKA JUDICIAL RESOURCES COMMISSION**
**AUGUST 14, 2026**

Pursuant to the press release issued July 31, 2026, the public hearing of the Nebraska Judicial Resources Commission was held on the 14th day of August 2026, in the Nebraska Supreme Court Courtroom, State Capitol Building, in Lincoln, Nebraska.

*AGENDA ITEM I*: The Chair called the proceedings to order at approximately 10 a.m. The proceedings included a Zoom videoconferencing option for Commission members. Roll Call by Ashley Jenkins.

| **PRESENT** (* denotes Zoom attendance) | **EXCUSED** |
|---|---|
| Justice John R. Freudenberg | Ron Temple |
| Judge Travis O'Gorman* | Robert Parker |
| Judge Anne Paine* | Roxanne Kracl |
| Judge Matthew Kahler* | |
| Jane Langan Mach | |
| Kenneth Hartman | |
| Meagan Spomer* | |
| Jacqueline Tessendorf* | |
| Darlene Starman | |
| Nancy McCabe | |
| Cydnianne Hall* | |
| Maria Whitmore* | |
| Brian Phares* | |
| Taylor Gage | |

*AGENDA ITEM II*: The Chair confirmed that all Commission members had received and reviewed the minutes from the May 1, 2026, hearing. It was moved by Jane Langan Mach and seconded by Darlene Starman to approve the minutes. On a voice vote the commissioners unanimously accepted the minutes of May 1st.

*AGENDA ITEM III*: The following exhibits were received and considered by the Commission, and are attached to these minutes:

Exhibit 1: Hearing Agenda

Exhibit 2: Minutes of the May 1, 2026, hearing

Exhibit 3: Press release dated April 16, 2026, from Governor Pillen appointing Judge Michael E. Piccolo, District Court Judge, 11th Judicial District, as Court of Appeals Judge, 6th Judicial District

Exhibit 4: District Courts Weighted Caseload Report Fiscal Year 2025

Exhibit 5: Letter from Hon. John M. Gerrard, NSBA President, dated July 28, 2026, re: NSBA Judicial Resources Committee recommendation

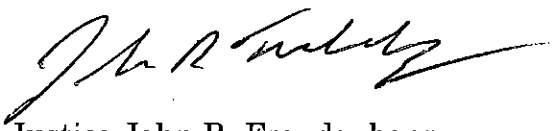
*AGENDA ITEM IV*: The public hearing was conducted, and the Commission received and considered public testimony from: Judge Patrick M. Heng, 11th District, District Court; Corey Steel, State Court Administrator, and Liz Neely, Executive Director of the Nebraska State Bar Association.

*(a)*: It was moved by Jane Langan Mach and seconded by Taylor Gage to declare a judicial vacancy in the District Court, 11th Judicial District, due to the appointment of Judge Michael E. Piccolo to the Court of Appeals, with the primary location being North Platte, Lincoln County, Nebraska. On a roll call vote the motion passed unanimously.

*AGENDA ITEM V*: The Chair noted that the next public hearing of the Judicial Resources Commission will be held on Friday, November 13, 2026, at 10:00am (CDT).

*AGENDA ITEM VI*: Under other matters, commission member, Maria Whitmore, requested that the Judicial Resources Commission members be advised of the Nebraska Supreme Court Annual Summer Tour dates moving forward. Commission member, Darlene Starman, followed up to determine the status of the county court vacancy in the 12th Judicial District in Scotts Bluff, and was informed that the vacancy has been filled. There being no other matters, the Commission adjourned.

Respectfully submitted:



Justice John R. Freudenberg
Chair

**JUDICIAL RESOURCES COMMISSION HEARING**
**Friday, August 14, 2026 – 10 a.m. CST**

# Exhibit List

***This exhibit list is updated as of July 31, 2026, and will continue to be updated as more information is received.***

| | |
|---|---|
| Exhibit 1: | Hearing Agenda |
| Exhibit 2: | Minutes of the May 1, 2026, hearing |
| Exhibit 3: | Press release dated April 16, 2026, from Governor Pillen appointing Judge Michael E. Piccolo, District Court Judge, 11th Judicial District, as Court of Appeals Judge, 6th Judicial District |
| Exhibit 4: | District Courts Weighted Caseload Report Fiscal Year 2025 |
| Exhibit 5: | Letter from Hon. John M. Gerrard, NSBA President, dated July 28, 2026, re: NSBA Judicial Resources Committee recommendation |

**HEARING AGENDA**
**JUDICIAL RESOURCES COMMISSION**
**Friday, August 14, 2026 – 10 a.m. CDT**
**Supreme Court Courtroom, State Capitol, Lincoln, Nebraska**

I. Call meeting to order; roll call of members.

II. Approve minutes from JRC meeting held May 1, 2025.

III. Identify/receive exhibits to be considered by commission during public hearing.

IV. Conduct public hearing concerning the following:

a. Whether a judicial vacancy exists in the office of the District Court, 11th Judicial District, due to the appointment of Judge Michael E. Piccolo to the Court of Appeals, and if so, whether to recommend a primary office location.

V. Adjourn

Exhibit 01

**MINUTES OF THE PUBLIC HEARING OF**
**THE NEBRASKA JUDICIAL RESOURCES COMMISSION**
**MAY 1, 2026**

Pursuant to the press release issued April 23, 2026, the public hearing of the Nebraska Judicial Resources Commission was held on the 1st day of May 2026, in the Nebraska Supreme Court Courtroom, State Capitol Building, in Lincoln, Nebraska.

*AGENDA ITEM I*: The Chair called the proceedings to order at approximately 10 a.m. The proceedings included a Zoom videoconferencing option for Commission members. Roll Call by Ashley Jenkins.

| **PRESENT** (* denotes Zoom attendance) | **EXCUSED** |
|---|---|
| Justice John R. Freudenberg | Judge Anne Paine |
| Judge Travis O'Gorman* | Ron Temple |
| Judge Matthew Kahler* | Roxanne Kracl |
| Jane Langan Mach | Brian Phares |
| Kenneth Hartman | |
| Meagan Spomer* | |
| Jacqueline Tessendorf* | |
| Robert Parker* | |
| Darlene Starman | |
| Nancy McCabe* | |
| Cydnianne Hall* | |
| Maria Whitmore* | |
| Taylor Gage | |

*AGENDA ITEM II*: The Chair confirmed that all Commission members had received and reviewed the minutes from the February 13, 2026, hearing. On a voice vote the commissioners unanimously accepted the minutes of February 13th.

*AGENDA ITEM III*: The following exhibits were received and considered by the Commission, and are attached to these minutes:

Exhibit 1: Meeting Agenda

Exhibit 2: Minutes of the February 13, 2026, hearing

Exhibit 3: County Courts Weighted Caseload Report Fiscal Year 2025

Exhibit 4: District Courts Weighted Caseload Report Fiscal Year 2025

Exhibit 5: 2021-2026 Judicial Vacancies Data

Exhibit 6: NSBA Report - Listening Sessions on the Declining Rural Lawyer Population

Exhibit 7: Number of active members of the bar in each judicial district

Exhibit 8: Article: The Shrinking Judicial Applicant Pool by Hon. John M. Gerrard.

Exhibit 9: Maps – Attorneys per county in Nebraska

**Exhibits 8 and 9 received at hearing*

*AGENDA ITEM IV*: The public hearing was conducted, and the Commission received and considered public testimony from: Chief Justice Funke and Liz Neeley concerning current issues involving judicial vacancies.

*AGENDA ITEM V*: The Chair noted that the next public hearing of the Judicial Resources Commission will be held on Friday, August 14, 2026, at 10:00am (CST). There being no other matters, the Commission adjourned.

Respectfully submitted:

Justice John R. Freudenberg
Chair

# Gov. Pillen Appoints Piccolo to Court of Appeals in the Sixth Judicial District

**April 16, 2026**
**CONTACT:**

Laura Strimple, (402) 580-9495

**Gov. Pillen Appoints Piccolo to Court of Appeals in the Sixth Judicial District**

**LINCOLN, NE -** Today, Governor Jim Pillen announced his appointment of Michael E. Piccolo of North Platte to the Court of Appeals in the Sixth Judicial District. The Court of Appeals Sixth Judicial District consists of Arthur, Banner, Blaine, Brown, Box Butte, Buffalo, Chase, Cherry, Cheyenne, Custer, Dawes, Dawson, Deuel, Dundy, Frontier, Furnas, Garden, Gosper, Grant, Hayes, Hitchcock, Hooker, Keith, Keya Paha, Kimball, Lincoln, Logan, Loup, McPherson, Morrill, Perkins, Red Willow, Rock, Scotts Bluff, Sheridan, Sherman, Sioux, Thomas, and Valley counties.

Since 2010, Piccolo has served the 11th Judicial District, first as a county court judge and then as a district court judge. Prior to his judicial appointment, Piccolo was an attorney with multiple firms in North Platte. Since 2020, he has also presided over the Midwest Problem Solving Court in Lincoln County and more recently has presided over the drug courts in both Dawson and Lincoln counties.

Piccolo has been involved in the Nebraska Lawyers Referral Program, which provides pro bono legal services to qualified individuals. He has also been selected as a fellow by the Nebraska State Bar Foundation

Piccolo received his undergraduate degree from the University of Nebraska -- Omaha. He earned his juris doctor from the Creighton University School of Law.

The judicial vacancy is due to the retirement of Judge Frankie J. Moore.

Exhibit 03

NEBRASKA JUDICIAL BRANCH

# District Courts

## Weighted Caseload Report

**Fiscal Year 2025**
July 1, 2024, to
June 30, 2025

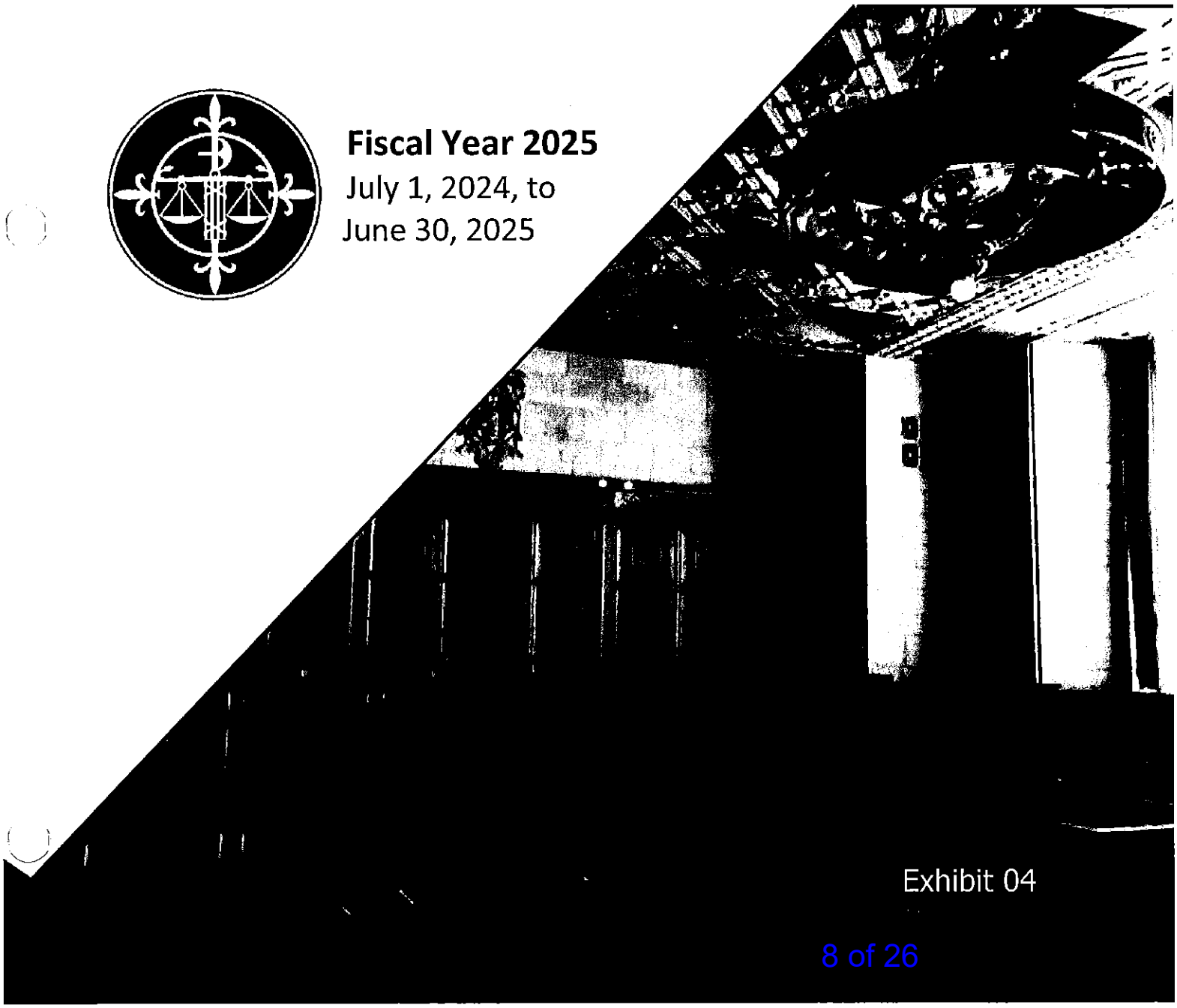


Exhibit 04

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# Weighted Caseload Report

## Nebraska District Courts Weighted Caseload Report

Nebraska has a district court in each of its 93 counties, organized into 12 Judicial Districts. Pursuant to Neb. Rev. Stat. § 24-301.02, the Legislature determines the number of district court judges who serve in each judicial district, and the geographic boundaries of each judicial district. An objective assessment of judicial workload allows informed decisions about district boundaries and the number of judges needed to timely resolve the cases in each judicial district.

To assist in evaluating judicial workloads, Neb. Rev. Stat. § 24-1007(1) requires the Nebraska Administrative Office of the Courts and Probation (AOCP) to compile judicial workload statistics based on caseloads weighted by category of case. These weighted caseload statistics are used by the Judicial Branch, the Judicial Resources Commission, and the Legislature to evaluate judicial need, and guide decisions and recommendations on how best to allocate judicial resources across the state.

To ensure the validity, uniformity and accuracy of the AOCP's judicial workload statistics, a statewide judicial time study was conducted in 2019-2020 under the direction and leadership of the National Center for State Courts. For a full description of the judicial time study and the recommended weighting methodology and standards, see *Nebraska Judicial Workload Assessment Final Report* (October 2020) (this is noted on tables in this report with an asterisk) on the Nebraska Supreme Court Website. Because this Weighted Caseload Report uses the methodology and standards from the 2020 workload assessment, direct comparison to archived reports is not recommended.

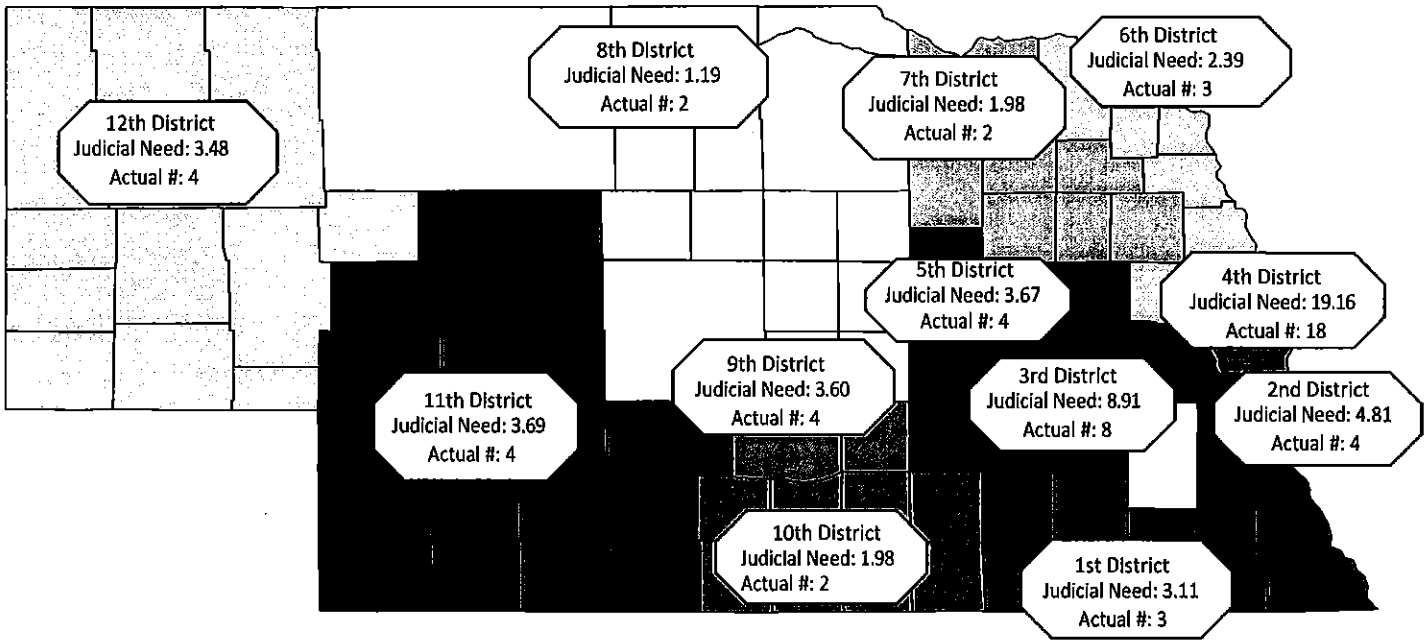
Weighted caseload statistics approximate the number of judges a district needs to handle the current caseload based upon the calculations of a three-year rolling average of case filing data. Therefore, when weighted caseload statistics are examined in conjunction with other compelling and critical metrics, they provide a vital part of an objective and standardized assessment of judicial needs and the fair allocation of judicial resources across juvenile courts in the State of Nebraska.

**Corey R. Steel**
**Nebraska State Court Administrator**
**Nebraska Supreme Court**
**Administrative Office of the Courts & Probation**
Rm. 1211 State Capitol | P.O. Box 98910 | Lincoln, NE 68509
T 402.471.3730 | F 402.471.2197
www.supremecourt.nebraska.gov

Weighted Caseload Report

# Nebraska District Court Judicial Needs

## Fiscal Year 2025 (July 1, 2024 – June 30, 2025)



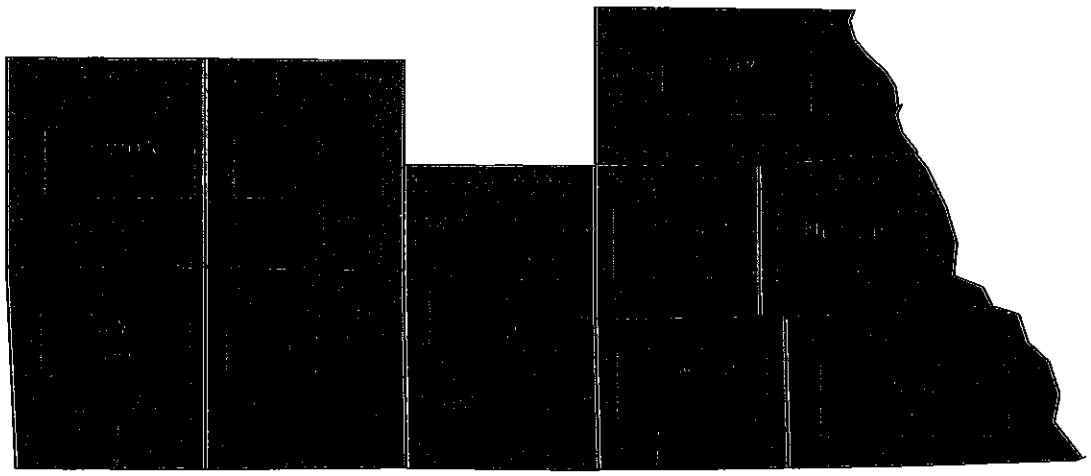

Note: Differences between the total District Court Need for Judges and the sum of individual counties is due to rounding to the nearest one-hundredth.

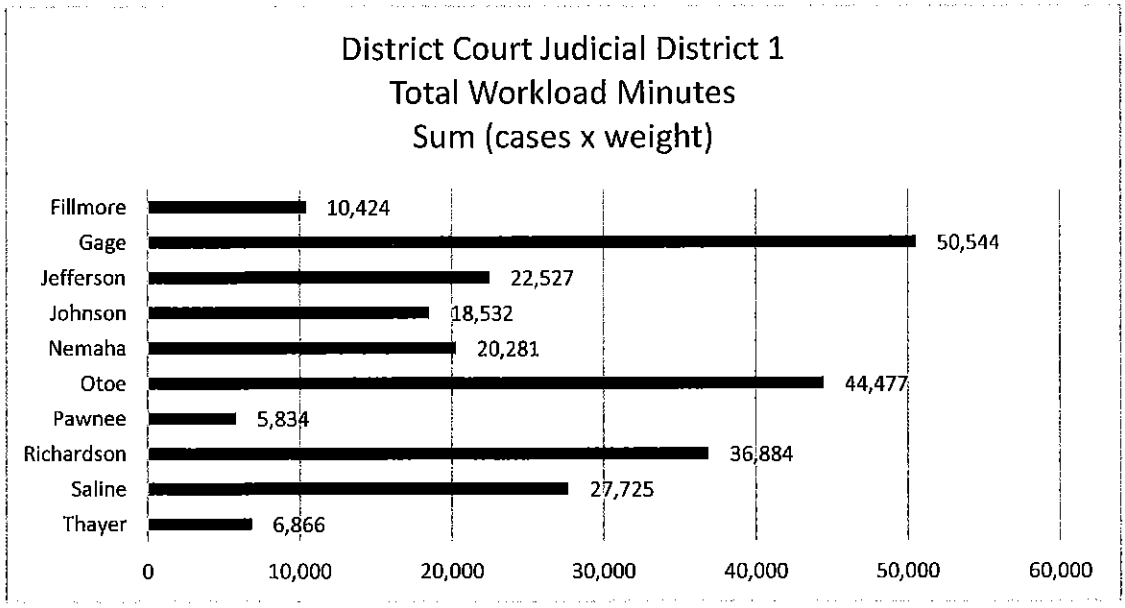
# Weighted Caseload Report
# 1st Judicial District – District Court

District court need for judges: 3.11
Current number of judges: 3
Workload per judge: 1.04

Predicted judicial resources need by county

Judges Serving the 1st District
**Bargen**
**Schreiner**
**J. Smith**

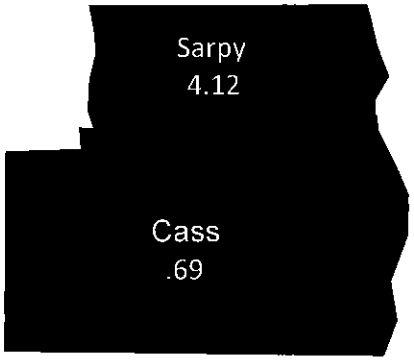




# Weighted Caseload Report
# 2nd Judicial District – District Court

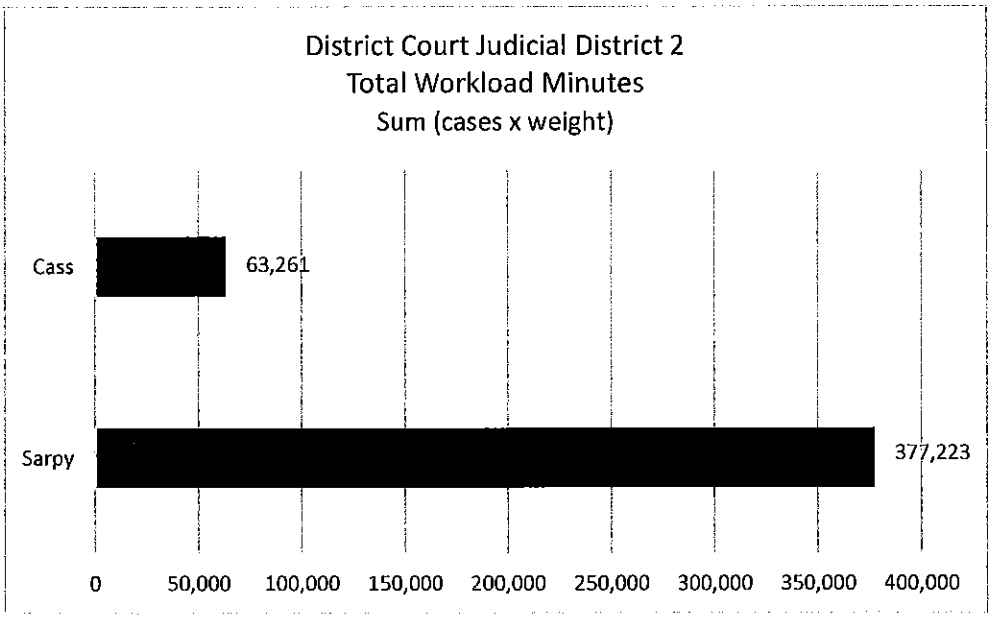
District court need for judges: 4.81
Current number of judges: 4
Workload per judge: 1.20

Predicted judicial resources need by county




Judges Serving the 2nd District

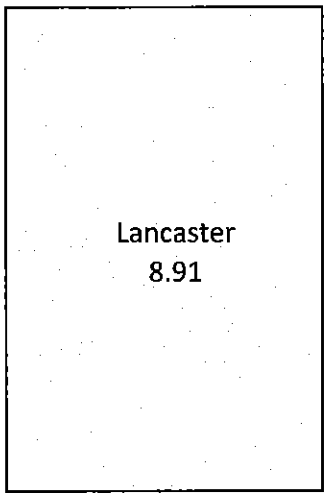
**Cox**
**Martinez**
**M. Smith**
**Thompson**



# Weighted Caseload Report
# 3rd Judicial District – District Court

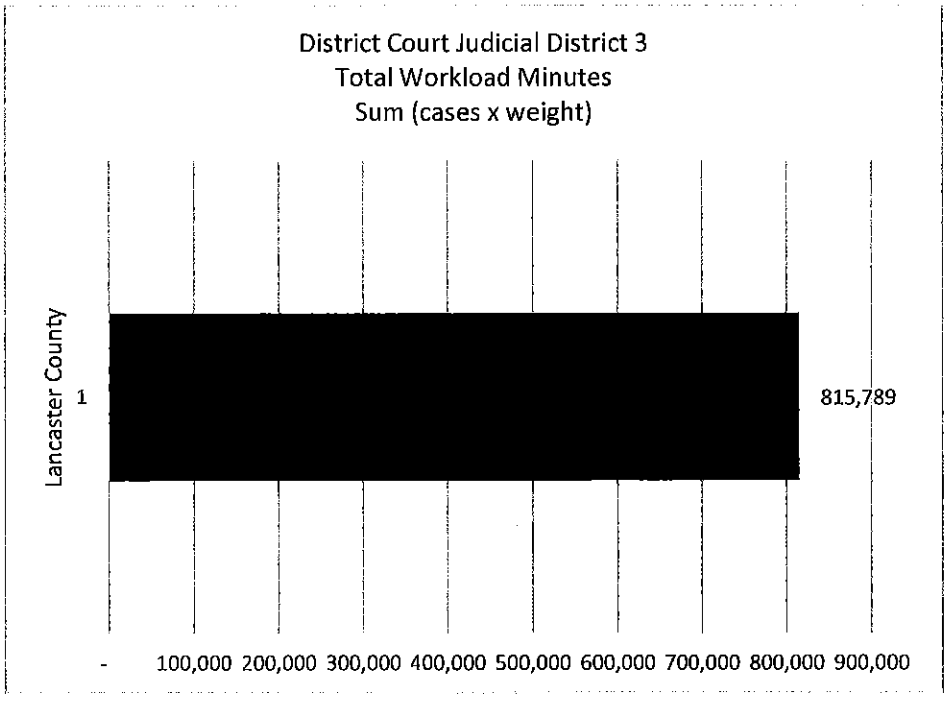
District court need for judges: 8.91
Current number of judges: 8
Workload per judge: 1.11

Predicted judicial resources need by county




Judges Serving the 3rd District

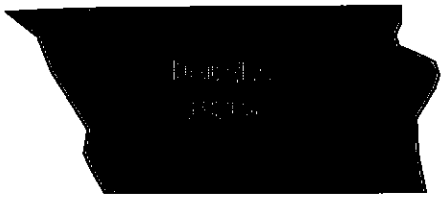
**Ideus**
**Jacobsen**
**Maret**
**McManaman**
**Mellor**
**Nelson**
**Post**
**Strong**

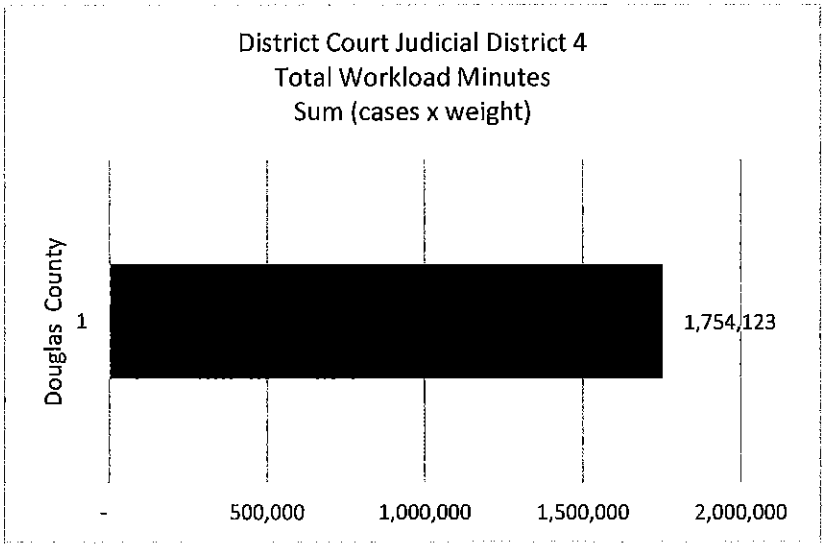


# Weighted Caseload Report
# 4th Judicial District – District Court

District court need for judges: 19.16
Current number of judges: 18
Workload per judge: 1.06

Predicted judicial resources need by county






Judges Serving the 4th District

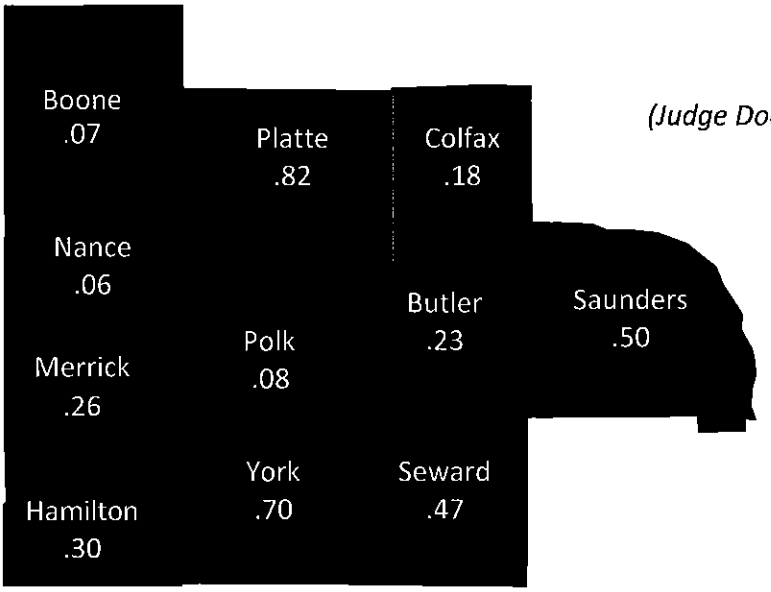
**Alioth**
**Bataillon**
**Benson**
**T. Burns**
**Derr**
**Dougherty**
**Engleman**
**Keane**
**Lindberg (Bowie)**
**Lux**
**Masteller**
**Miller Pankonin**
**Polk**
**Vacant (Retelsdorf)**
**Srb**
**Stratman**
**Vaughn**
**Wheelock**

# Weighted Caseload Report

## 5th Judicial District - District Court

District court need for judges: 3.67
Current number of judges: 4
Workload per judge: 0.92

Predicted judicial resources need by county




Judges Serving the 5th District

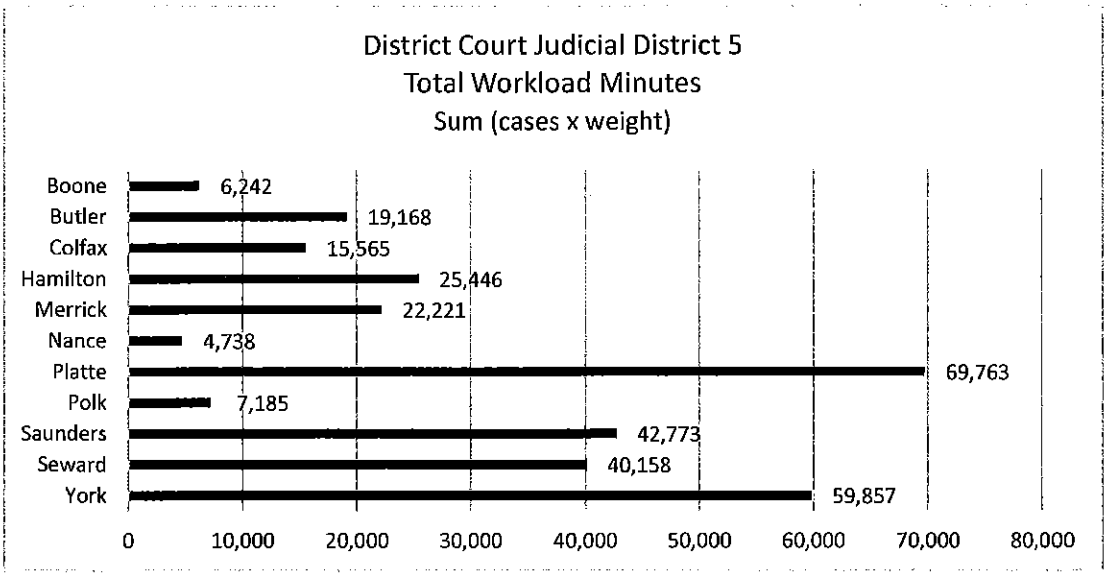
**Vacant***

*(Judge Doele was sworn in July 17th, 2025 – after caseloads were calculated)*

**Daugherty**

**Marroquin**

**Stecker**

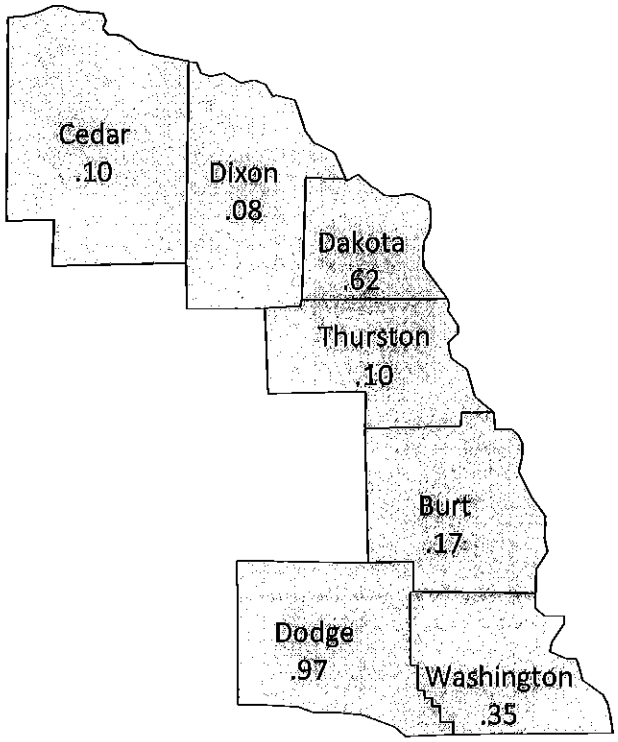


# Weighted Caseload Report

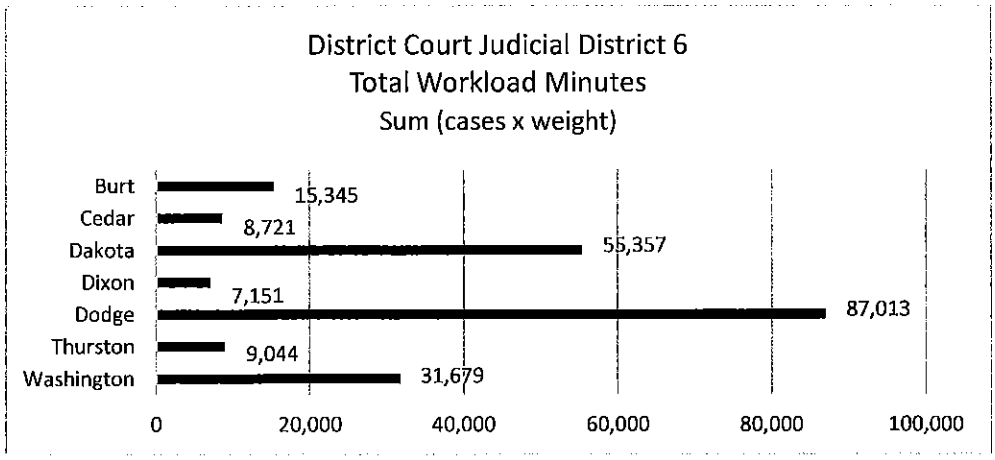
## 6th Judicial District – District Court

District court need for judges: 2.39
Current number of judges: 3
Workload per judge: 0.80

Predicted judicial resources need by county




Judges Serving the 6th District
**Hall**
**Meismer**
**Blackman**

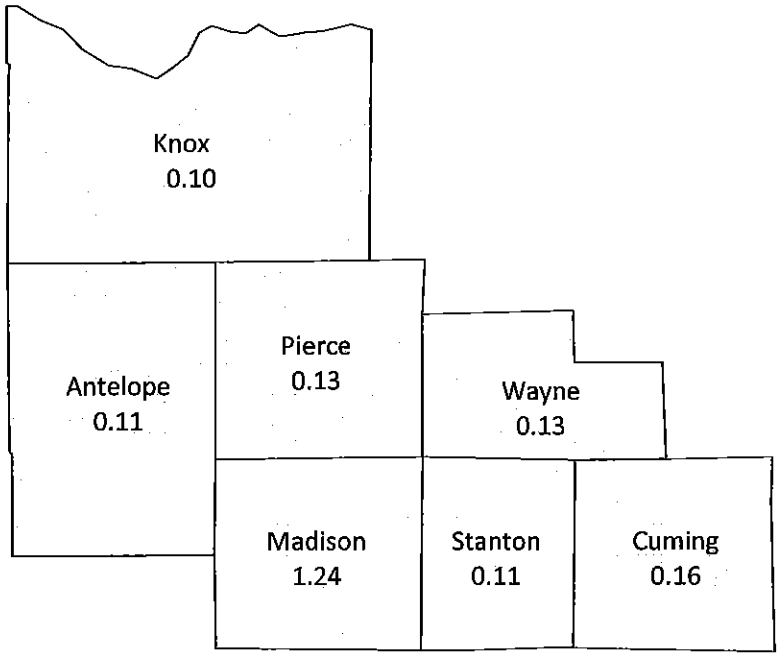


# Weighted Caseload Report

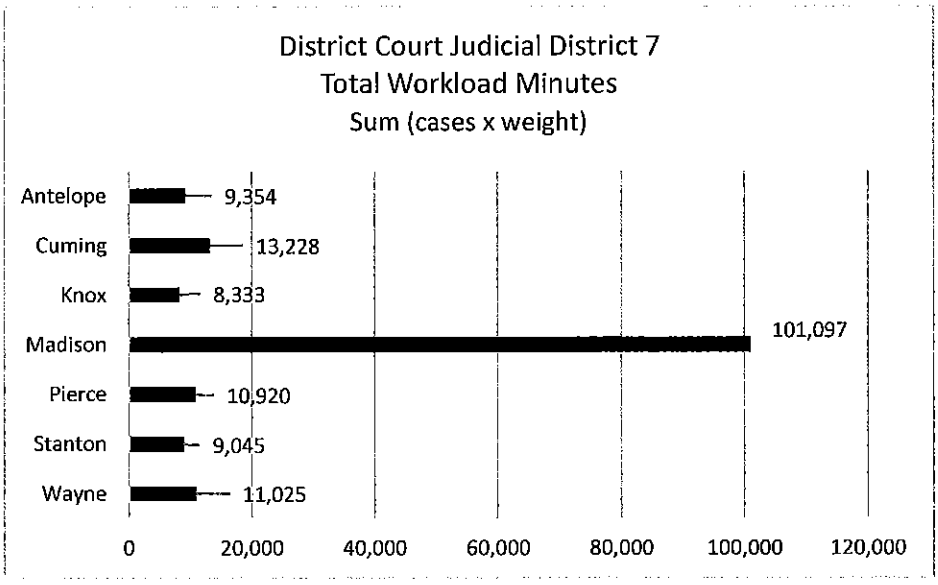
## 7th Judicial District – District Court

District court need for judges: 1.98
Current number of judges: 2
Workload per judge: 0.99

Predicted judicial resources need by county



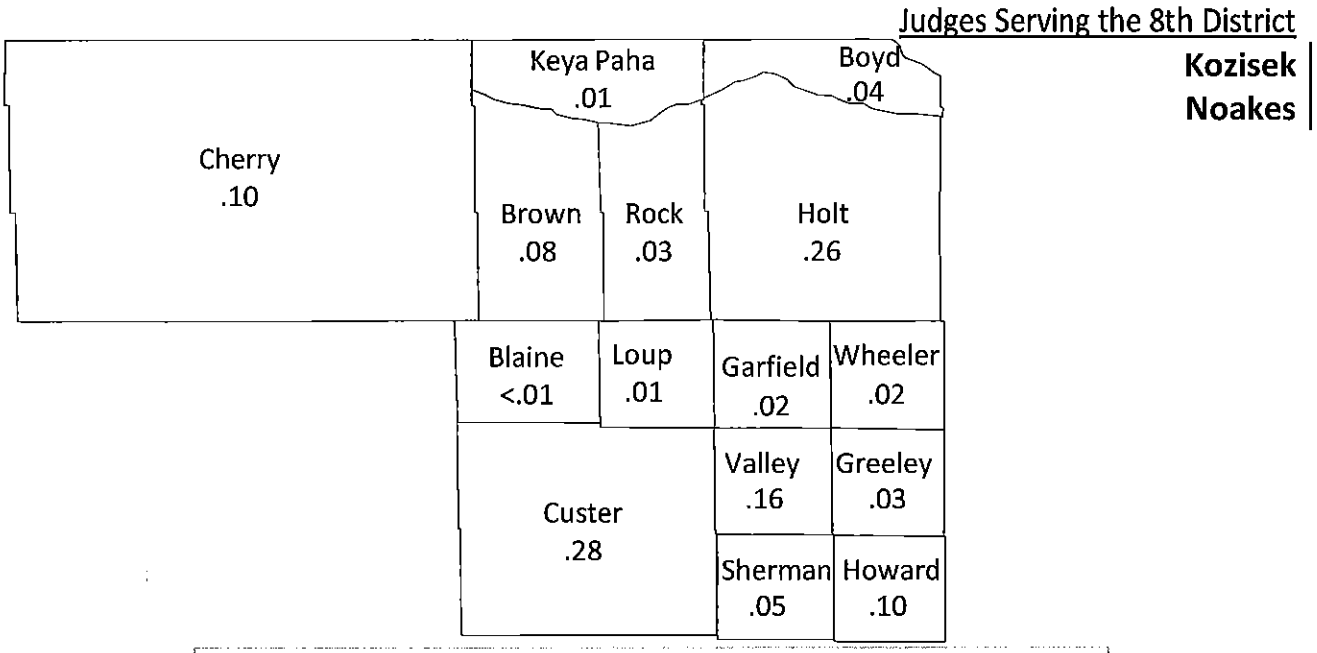

Judges Serving the 7th District
**Long (Johnson)**
**Kube**

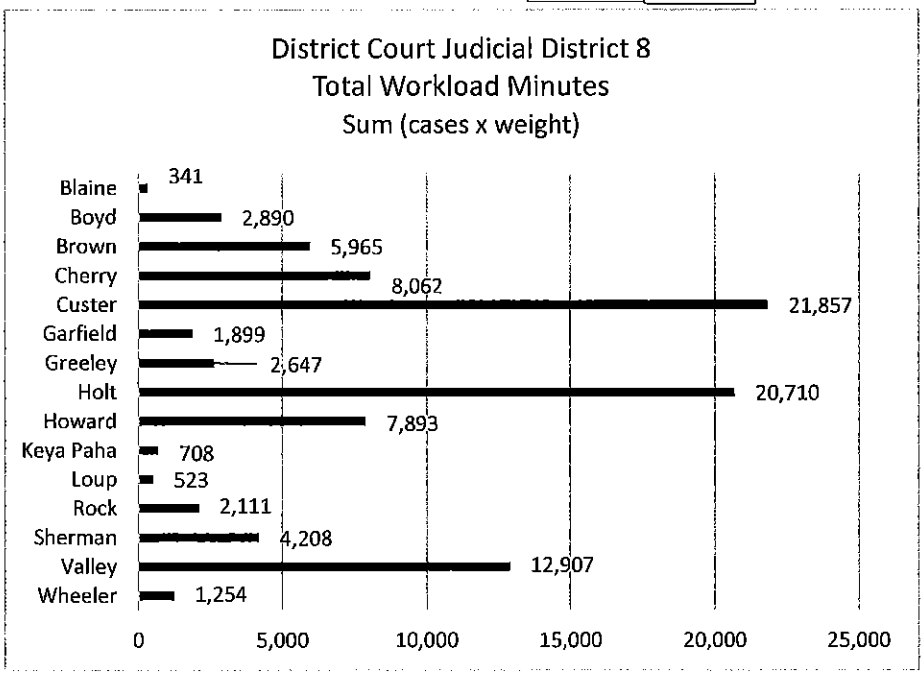


# Weighted Caseload Report
## 8th Judicial District – District Court

District court need for judges: 1.19
Current number of judges: 2
Workload per judge: 0.60

Predicted judicial resources need by county

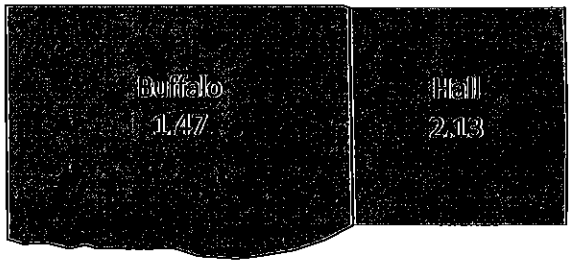


# Weighted Caseload Report
# 9th Judicial District – District Court

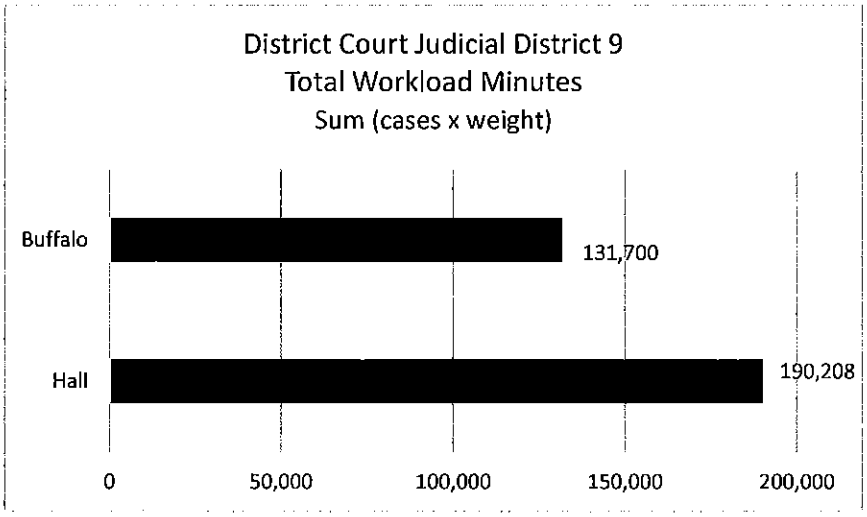
District court need for judges: 3.60
Current number of judges: 4
Workload per judge: 0.90

Predicted judicial resources need by county




Judges Serving the 9th District

**Butler**
**Lee**
**Marsh**
**Ramsey (Carson)**

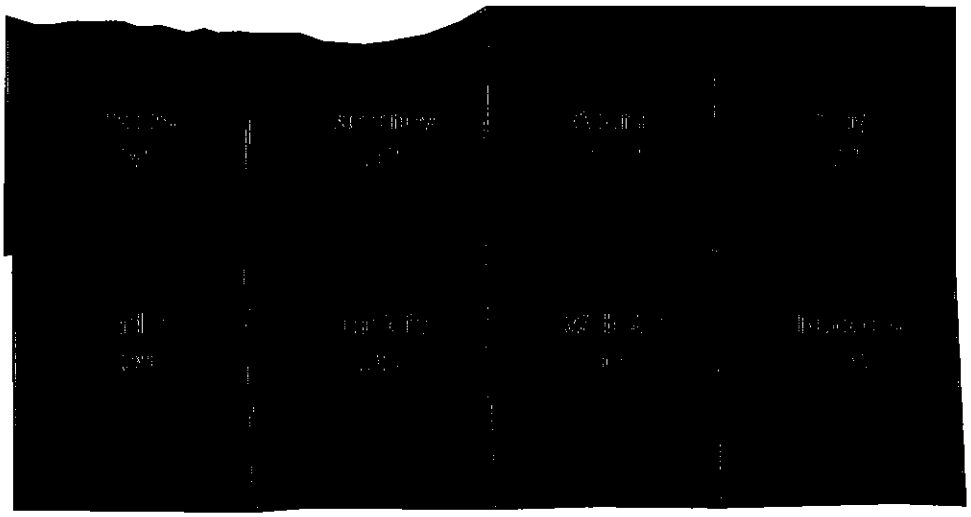


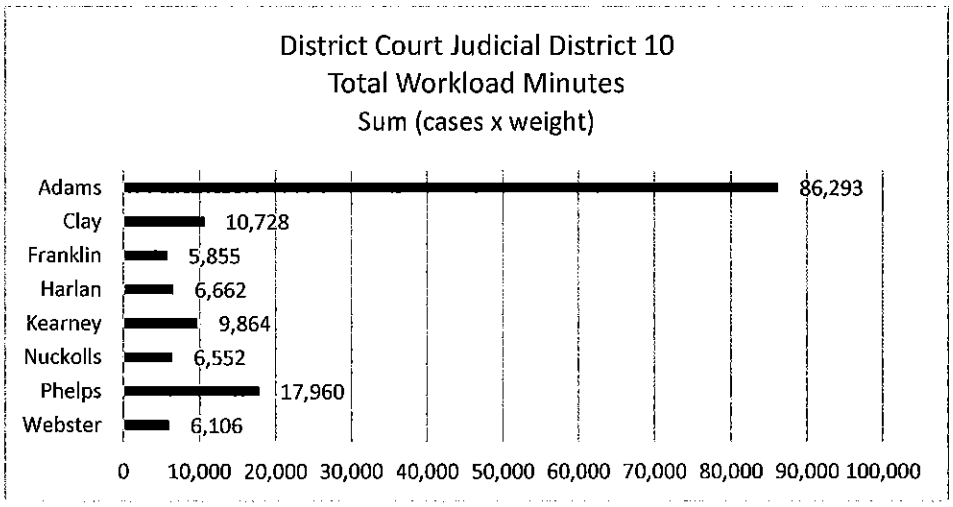
# Weighted Caseload Report
# 10th Judicial District – District Court

District court need for judges: 1.98
Current number of judges: 2
Workload per judge: 0.99

Predicted judicial resources need by county

Judges Serving the 10th District
**Farquhar**
**Hoeft**





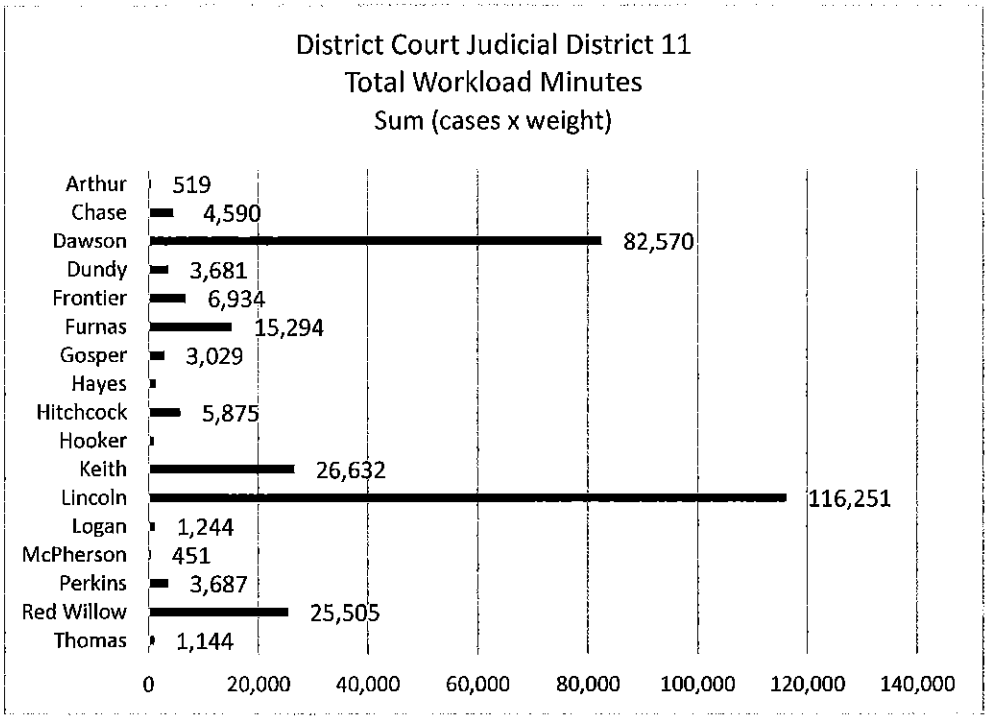
# Weighted Caseload Report
# 11th Judicial District – District Court

District court need for judges: 3.69
Current number of judges: 4
Workload per judge: 0.92

Predicted judicial resources need by county

Judges Serving the 11th District

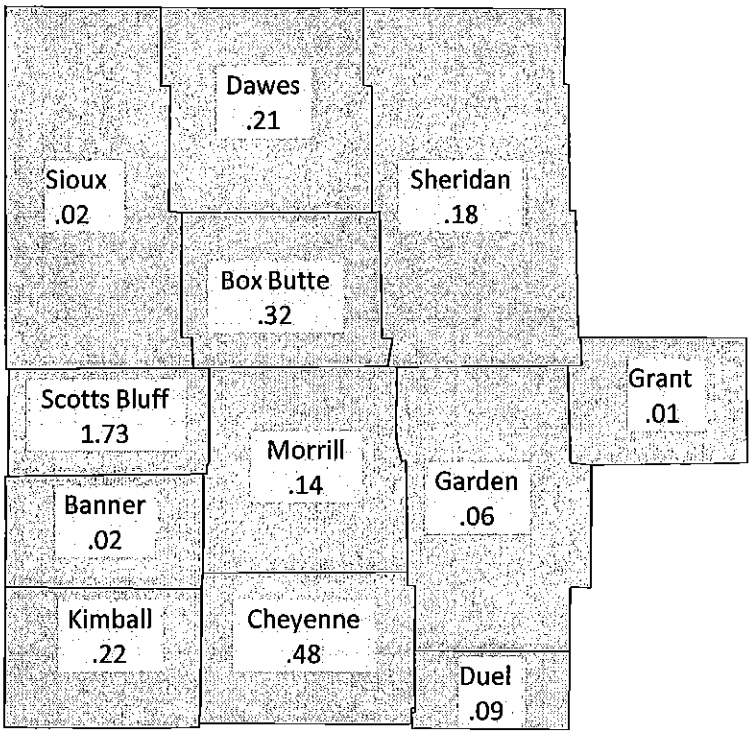
**Heng**
**Vacant (Neher)**
**Piccolo**
**Volkmer**



# Weighted Caseload Report
# 12th Judicial District – District Court

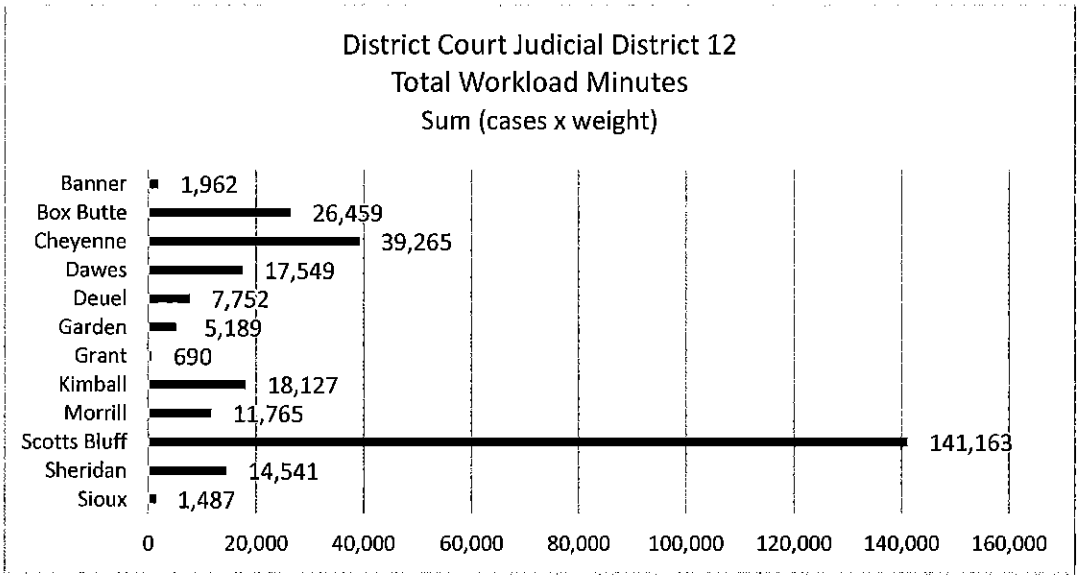
District court need for judges: 3.48
Current number of judges: 4
Workload per judge: 0.87

## Predicted judicial resources need by county




Judges Serving the 12th District

**Dobrovolny**
**Miller**
**O'Gorman**
**Weimer**



# Weighted Caseload Report

## Court Case Type Categories and Weights – Appendix

| District Court Case Types | Case Weight* (minutes) |
|---|---|
| Problem Solving Court Cases | 683 |
| Protection Orders | 32 |
| Civil | 219 |
| Class I Felony | 367 |
| Other Criminal | 149 |
| Domestic Relations | 97 |
| Appeals | 343 |
| Administrative Appeals | 540 |
| **County Court Case Types** | **Case Weight* (minutes)** |
| Protection Orders | 32 |
| Felony | 26 |
| Misdemeanor | 23 |
| District Court: Adult Problem-Solving Court | 683 |
| Traffic | 1 |
| Civil | 8 |
| Probate | 61 |
| Guardianship/Conservatorship | 133 |
| Small Claims | 30 |
| Adoption | 92 |
| Domestic Relations | 97 |
| Juvenile: 3A Children | 487 |
| Juvenile: Delinquency | 100 |
| Juvenile: Status Offender 3B | 37 |
| Juvenile: Mentally Ill and Dangerous 3C | 265 |
| Juvenile: Bridge to Independence (B21) | 58 |
| Juvenile: Interstate Compact Hearings/Filings | 2 |
| Juvenile: Problem-Solving Court Cases | 654 |
| **Separate Juvenile Court Case Types** | **Case Weight* (minutes)** |
| Adoption | 49 |
| Domestic Relations | 26 |
| Juvenile: 3A Children | 487 |
| Delinquency | 136 |
| Status Offender 3B | 54 |
| Mentally Ill and Dangerous 3C | 265 |
| Bridge to Independence B21 | 36 |
| Interstate Compact Hearing/Filings | 2 |
| Problem Solving Court Cases | 654 |
| | |
| | |

**Research and Data**
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# Nebraska State Bar Association

*"Helping lawyers help people"*

July 28, 2026

Hon. John R. Freudenberg
Nebraska Supreme Court
State Capitol, #2210
Lincoln, NE 68509

Dear Justice Freudenberg:

On behalf of the NSBA Judicial Resources Committee ("the Committee"), I wish to convey to the members of the Judicial Resources Commission our recommendation regarding the vacancy being taken up by the Judicial Resources Commission at their August 14, 2026, hearing.

After reviewing the Judicial Weighted Caseload Reports ("Judicial Workload Assessment") for FY 2025, the Committee concluded that the State's justice system will not have adequate judicial resources available unless the current vacancy is filled expeditiously. Therefore, the Committee recommends declaring a vacancy in the District Court, 11th District, with a primary office location in Lincoln County.

Thank you for your consideration of our recommendation. Please include this letter with the materials provided to Judicial Resources Commission members before your August 14, 2026, hearing.

Sincerely,

John M. Gerrard

Hon. John M. Gerrard
NSBA President

Cc: Corey Steel
Liz Neeley

635 South 14th Street ~Ste 200~ Lincoln, Nebraska 68508
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Exhibit 05