District Court of Nebraska - Second Judicial District

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Justice Freudenberg
1445 K Street
Room 2210, State Capitol
Lincoln NE 68509

Dear Justice Freudenberg and Members of the Judicial Resources Commission:

I am writing to request that the Judicial Resources Commission recommend to the Legislature the creation of an additional judgeship for the District Court of the Second Judicial District. Sarpy County has long been the fastest-growing county in Nebraska, and Cass County has also shown strong population growth in recent years. As might be expected, this has resulted in an increase in the workload of the district courts which is shown in the Judicial Workload Statistics Report for both 2025 and 2026.

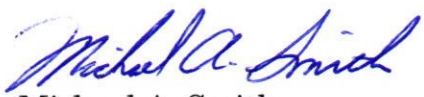
The 2026 Report shows a need for 4.95 judges, resulting in an average case load of 1.24 per district judge. This is an increase from the 2025 Report, which showed a need for 4.81 judges and per judge average of 1.20. The Report recommends the consideration of additional judgeships when the case load reaches or exceeds 1.15 per judge. Using the 2026 numbers, an additional district judge in the 2nd District will reduce the average case load per judge to 0.99. That will still be higher than 6 of the other 11 district court judicial districts, with the 1st District effectively tied at 1.00.

The 2nd District last added a district court judge in 1997. In 2018, Otoe County was removed from the 2nd District and moved to the 1st District to reduce the workload on the 4 district judges remaining in the 2nd District. The continuing caseload growth has now exceeded what can be reasonably managed by 4 judges, a trend that can be expected to continue in future years.

According to the U.S. Census Bureau, as of July of 2025 the population for Sarpy County was 208,303 an increase of 9.3% from the 2020 Census population of 190,604. Cass County had a population of 27,657 as of July of 2025, up 4% from the 2020 number of 26,601. As a comparison, the Census Bureau estimates that the population of Nebraska as a whole grew 2.2% between 2020 and 2025.

Additional factors that have increased the judicial workload include the significant increase in self-represented litigants and their use of artificial intelligence, and the high number of protections order filings. The district judges of the 2nd District also preside over 5 different problem-solving courts, which may be the most of any judicial district.

On behalf of the District Judges in the Second Judicial District, I respectfully request that the Commission recommend to the Legislature the creation of a new district court judgeship in the 2nd Judicial District.



Michael A. Smith
Presiding Judge
2nd Judicial District