

STATE OF NEBRASKA
FIFTH JUDICIAL DISTRICT
COUNTY COURTS

November 18, 2025

Justice John R. Freudenberg
Nebraska Supreme Court
P.O. Box 98910
Lincoln, Nebraska 68509
Emailed to: ashley.jenkins@nejudicial.gov

Dear Justice Freudenberg and Members of the Commission:

Please accept this letter as written testimony in support of the request of the County Judges of the Fifth Judicial District to declare that a vacancy exists in the office of the County Court, Fifth Judicial District, due to the retirement of Judge C. Jo Petersen.

The Fifth Judicial District includes eleven counties: Boone, Butler, Colfax, Hamilton, Merrick, Nance, Platte, Polk, Saunders, Seward, and York. Since at least 2013, when Judge Petersen was appointed, the Fifth District has had five County Court Judges covering those eleven counties. According to the National Center for State Courts Nebraska Judicial Workload Assessment completed in October 2020 and adopted by the Nebraska Supreme Court, the Fifth District County Courts had an implied judge need of 4.60 judges. At the time of the Assessment, the Fifth District had five actual judges resulting in the workload per judge being .92. The authors of the 2020 Assessment recommended that five judges was the appropriate number of judges in the County Courts of the Fifth District based on the judge need and the workload per judge.

The current numbers in the County Courts of the Fifth District are nearly identical to the numbers reported in the 2020 Assessment. According to the Fiscal Year 2025 County Courts Weighted Caseload Report, the County Court need for judges in the Fifth District is 4.57. With five judges, the workload per judge is .91. We submit that five judges is still the appropriate number of judges in the County Courts of the Fifth District.

Based upon the annual reports published by the Administrative Office of the Courts and Probation, since 2020, the number of cases filed, the need for judges, and the workload per judge have all increased in the County Courts of the Fifth District. The reported statistics are summarized as follows:

County Court Annual Caseload Report
Fifth Judicial District

Cases Filed:	<u>Adult</u>	<u>Juvenile</u>
FY 2020	16,049	445
FY 2021	16,377	447
FY 2022	15,981	541
FY 2023	17,178	578
FY 2024	18,530	576
FY 2025	20,120	594

County Court Weighted Caseload Report
Fifth Judicial District

	<u>Judge Need</u>	<u>Workload Per Judge</u>
FY 2020	4.29	.86
FY 2021	4.12	.82
FY 2022	4.04	.81
FY 2023	4.25	.85
FY 2024	4.41	.88
FY 2025	4.57	.91

As County Court Judges in the Fifth District, our goal is to provide access to justice and forums in which all litigants, represented and self-represented, have an equal and timely opportunity to be heard. The issues that we face are not unique to the Fifth District. The use of interpreters, the increased number of self-represented litigants, the use of technology in and out of the courtroom, and staff hiring, supervision, and training, are all issues that have been identified in prior hearings before the Commission. These issues have resulted in an increase in the amount of time judges spend performing their duties in and out of the courtroom since the 2020 Assessment was completed and are not accurately captured in the current weighted caseload statistics.

The remaining four County Court Judges of the Fifth District have been busy working to maintain access to the County Courts of the District since the retirement of Judge Petersen. However, we have not been able to do it alone. We have received assistance from retired Judges and Judges from outside of the District with coverage of the criminal docket in Seward County during the vacancy. We would not have been able to continue to provide timely and efficient judicial resources throughout the District without that assistance. It is simply not possible to cover the caseloads in all eleven counties of the Fifth District with only four Judges.

We respectfully request that the Judicial Resources Commission declare that a judicial vacancy exists in the office of the County Court, Fifth Judicial District, due to the retirement of Judge C. Jo Petersen, with the primary office to be located in Seward, Seward County, Nebraska.

Thank you for your time and consideration of this request.

Respectfully submitted,

The County Court Judges of the Fifth
Judicial District

By: 

Stephen R.W. Twiss
Presiding Judge

EC: Hon. Lynelle D. Homolka
Hon. Denise J. Kracl
Hon. Andrew R. Lange