

July 1, 2023 - June 30, 2025

# Nebraska Supreme Court Strategic Agenda



# NEBRASKA JUDICIAL BRANCH STRATEGIC AGENDA 2023-2025

*The Nebraska Judicial Branch continues its six overarching goals for the 2023-2025 strategic agenda. This document identifies those goals and their respective objectives and initiatives. It is essential that in the twenty-first century, the provision of justice is sustained and maintained through a system of impartial, fair, and accessible courts and related services in order to achieve community safety, promote the general welfare, and encourage civility among people. The six overarching goals of the Nebraska Judicial Branch are:*

*Goal 1: Providing Access to Swift, Fair Justice*

*Goal 2: Protecting Children and Vulnerable Adults*

*Goal 3: Addressing Community Safety*

*Goal 4: Being Accountable to the Public*

*Goal 5: Strengthening Communication with Citizens and Government*

*Goal 6: Regulating the Legal Profession*



## GOAL 1: PROVIDING ACCESS TO SWIFT, FAIR JUSTICE



The Consortium of Tribal, State, and Federal Courts convened listening sessions engaging with Native American populations in Nebraska. Participants shared their experiences and perceptions of the Tribal, State, and Federal courts. The information gathered through the discussion sessions informs the future work of the Consortium in facilitating communication and collaboration between court systems.

These sessions seek to:

- Improve Native Americans' public trust and confidence in the courts;
- Improve the state and federal courts' confidence in and understanding of the tribal court system;
- Identify ways to address disparate treatment in the court system with a specific focus on addressing jurisdictional issues among the tribal, state and federal courts and law enforcement entities; and
- Improve judicial awareness and education regarding the realities faced by Native American populations in Nebraska.

*The role of courts is to swiftly and fairly resolve cases. To accomplish this goal, the courts must be impartial, efficient, and accessible for the user. Our judicial system is based upon the principle that all citizens coming before the courts are entitled to fair and equal justice. Courts must ensure that the accused fully understand their rights and that those rights are protected. Courts must provide meaningful access to all, ensuring that no litigant is denied justice due to the lack of counsel, the inability to understand legal proceedings or because of their race, ethnicity, gender, sexual orientation, disability, English language proficiency, or immigration status. Participants in the court process should have physical access to safe, secure courthouses, and when this is not possible because of an emergency event, continuity of operations plans should be in place, so all courts are open and accessible and maintain their mission essential functions.*

*This strategic goal focuses on the following areas: providing adequate funding for the Judicial Branch; implementing and maintaining modern technology to support the internal work of the courts; enhancing technological access for external court users; processing and managing cases efficiently to resolve disputes in a fair and timely manner; continuously improving access to justice for limited English-proficient and the deaf or hard of hearing; ensuring quality continuing education for judges and staff of the Judicial Branch; addressing any bias and racial inequality in the judicial system; providing meaningful assistance to self-represented litigants; integrating alternative dispute resolution approaches to improve how trial and appellate courts conduct their business; and planning for courthouse accessibility, and security.*

- Procedural Justice
- Access to Justice
- Adequate funding for the Judicial Branch
- Enhanced technology for the Courts
- Case Management Procedures
- Access to Justice for those with limited English-proficiency or the Deaf and Hard of Hearing
- Enhancing Judicial Branch Education
- Civil Justice Reform
- Self-help Assistance for Self-Represented Litigant
- Alternative Dispute Resolution
- Tribal, State, and Federal Court Interconnection
- Engaging Public through Community Conversations
- Courthouse Accessibility, Security, and Continuity of Operations

## GOAL 2: PROTECTING CHILDREN AND VULNERABLE ADULTS

*Nebraska's children and families are the State's precious resources. Courts must be able to act swiftly and justly in those instances when children are at risk of abuse or neglect. In domestic relations cases in which children are involved, courts must be able to offer procedures and resources to decrease children's exposure to parental conflict, as well as make timely decisions so parents have certainty in their roles and responsibilities. Any racial and ethnic disparities must be considered when working with children and their families. Any racial inequity within our child welfare and juvenile justice systems creates challenges that must be explored. Courts must ensure the rights of parents or other family members are also being addressed.*

*Judges and court staff must be informed about adolescent brain development, any racial and other forms of implicit bias, as well as the legal, societal, or familial impact of domestic violence on parents and children involved in the dissolution of marriage, custodial, or child welfare matters. Additionally, protecting children includes an active role by the court to support permanency for children through legal adoption after timely relinquishment or termination of parental rights.*

*In cases in which vulnerable adults are involved, courts must be able to appoint guardians and conservators to help protect those adults who no longer can protect themselves. Individuals who are unable to make responsible decisions about their finances, property, living situation or care, may require the courts to appoint a guardian or conservator to manage the vulnerable adult's personal and financial affairs. As the population of our state continues to age, the responsibility placed on the courts to appoint guardians and conservators will also increase.*

- Nebraska Court Improvement Project
- Office of the Public Guardian
- Office of Dispute Resolution
- Judicial Branch Education
- Attorney Services Guardian Ad Litem Training
- Probation Juvenile Services Division



## GOAL 3: ADDRESSING COMMUNITY SAFETY



Excellence in Nebraska's Problem-Solving Courts continues to be recognized - recently on the national stage by the National Association of Drug Court Professionals (NADCP). In March 2022, Lancaster County Adult Drug Court, and the Veterans Treatment Court were recognized by NADCP as National Mentor Courts.

National Mentor Courts are exemplary treatment courts selected to serve a 3-year term as model programs to assist new or growing courts. Mentor courts follow evidence-based best practices and play a significant role in national training, technical assistance, and research efforts for the nearly 4,000 treatment courts that currently are operating nationwide.

NADCP Chief of Training and Research, Carolyn Hardin, noted that both programs are "shining examples" of how a combination of accountability and treatment can save lives, reunite families, and make the community safer. She noted, "As a mentor court, this program is helping to transform our justice system and leading countless people who might otherwise be incarcerated into lives of long-term recovery."

*Courts are required by State statute to determine the appropriate sanctions or disposition for individuals who violate the law. When a court determines probation to be the most appropriate action, it must ensure that the individual not only is held accountable but also is offered rehabilitative services designed to reduce or eliminate future criminal or delinquent activity. Those individuals with histories of substance use or mental health concerns present a unique challenge. Teens involved in juvenile court proceedings require a unique array of interventions from the court and community to address the legal and habilitative concerns of young people.*

*Innovative approaches, such as specialized probation programs, or problem-solving courts, must be strengthened. Successful management of probation populations, including those returning to the community from incarceration, requires following proven principles of effective community supervision and using treatment and rehabilitation programs supported by research. It also requires accurate, relevant, and timely information.*

*Initiatives that enhance probation and community supervision call for increased technology, advanced officer skill competency, competitive compensation, reasonable workloads, access to services, and improved methods to assist individuals with special needs.*

*In Nebraska, as well as across the country, more specialty courts and specialized probation programs have been established. The utilization of problem-solving courts, including drug courts, veteran's treatment courts, reentry courts, DUI courts, mental health courts, and young adult courts, results in significant cost savings. Recidivism rates for problem-solving court participants are less than rates of incarcerated individuals. In addition, specialized probation programs incorporating proven risk reduction practices continue to yield positive outcomes in the management of those who have caused sexual harm, experience behavioral health disorders, or engage in domestic violence behavior. Lastly, any over-representation of people of color in the criminal and juvenile justice systems must not be ignored.*

*Juvenile justice is also an area of specialty. In addition to maintaining safety, the primary goals of juvenile justice are skill development, rehabilitation, addressing treatment needs, and community or family reintegration. An individualized approach utilizing the tenets of adolescent development and brain science is necessary for sustained outcomes. The juvenile justice system strives to prevent juveniles from returning to the juvenile justice system or entering the adult system. This is accomplished by engaging juveniles and their families in the court process, eliminating barriers to accessing treatment or services, and partnering with educational and community stakeholders.*

- Problem-Solving Court Services
- Adult Probation Services
- Juvenile Probation Services

## GOAL 4: BEING ACCOUNTABLE TO THE PUBLIC

*The Judicial Branch must be accountable to the public. This goal focuses on the obligation of courts and probation to ensure that staff at all levels are competent, professional, fiscally responsible, and customer service oriented; to establish standards by which court and probation operations and performance can be measured; to keep all branches of government and the public informed of Judicial Branch operations, programs, and initiatives; and to develop a clear strategic agenda that fosters public trust and confidence. Confidence in our courts is at the heart of maintaining the public's trust in the Judicial Branch. It is vital that judges and all Judicial Branch employees are provided an ongoing quality education. Allegations of misconduct must be investigated and resolved timely and fairly.*

- Professional, Competent, Customer Service Oriented Workforce
- Leadership Development and Conferencing with Judges Statewide
- Performance Standards for the Judicial Branch
- Financial Accountability
- Ongoing Branch Wide Education
- Professional Ethics and Codes of Conduct
- Judge and Attorney Disciplinary Systems
- Judicial Case Progression Standards
- Efficient Court Business Practices



## GOAL 5: STRENGTHENING COMMUNICATION WITH CITIZENS & WITHIN GOVERNMENT



Connect with the  
Nebraska Judicial  
Branch:



Facebook:  
[https://nejudicial.com/  
/facebook](https://nejudicial.com/facebook)



Twitter:  
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/twitter](https://nejudicial.com/twitter)



Podcast:  
[http://nejudicial.com/  
podcast](http://nejudicial.com/podcast)



*While the Judicial Branch is independent of the Executive and Legislative Branches of government, it does not exist in isolation. Courts serve the public and cannot do so effectively if meaningful communication between the branches, within the Judicial Branch, and with the public does not take place. This goal focuses on enhancing Judicial Branch communication with the Executive, Legislative Branches of state government, with Federal government, and with the public.*

*The Judicial Branch also fosters public understanding of its role and how it functions through community outreach and education programs. The Judicial Branch provides information regarding the duties of a judge, the jury system, and the judicial merit selection process. The court system strives for transparency and to share information with the public while safeguarding the private information of court participants, including victims of crimes.*

### ***External Communications***

- Executive and Legislative Branch Meetings
- Local Governmental Groups, Specifically County Governmental Organizations
- Educational and Media Programs
- Public Understanding of the Judicial Branch Programs
- Access Through In-House Broadcast Capabilities
- Development of Communication Via Social Media
- Chief Justice and Administrative Leadership Annual Visits Throughout State



## GOAL 6: REGULATING THE LEGAL PROFESSION

*The Judicial Branch has long recognized the indispensable role of the legal profession in protecting individual rights and liberties in a free society. Nebraska's Judicial Branch continues in that tradition. Because the Nebraska Supreme Court regulates the practice of law, the Court must determine how the legal profession can best serve the public. This strategic goal requires ongoing oversight of the attorney admission process, disciplinary systems, and the unauthorized practice of law. The Judicial Branch oversees the licensure of attorneys and the requirements of the Mandatory Continuing Legal Education (MCLE) rule through Attorney Services.*

- Attorney Admissions Process
- Annual Licensure of Attorneys
- Counsel for Discipline
- Mandatory Continuing Legal Education
- Rules of Practice in Appellate and Trial Courts
- Unauthorized Practice of Law
- Guardian ad Litem Training





*Crime does not stop, nor does child abuse, spouse abuse, fraud, divorce, and many of the other social and commercial issues that are only resolved in the courts. This year I report to you that our courts have not only remained open, but have adapted to the realities of the pandemic.”*

*~ Chief Justice Mike Heavican,  
State of the Judiciary Address,  
January 2022*

**The Nebraska Supreme Court wishes to acknowledge and thank the following Committees for integral participation in planning for the future of the Judicial Branch of Government:**

**Chief Justice’s Leadership**

**Supreme Court**

Chief Justice Michael G. Heavican  
Lindsey Miller-Lerman  
William B. Cassel  
Stephanie F. Stacy  
Jeffrey J. Funke  
Jonathan J. Papik  
John R. Freudenberg

**Court of Appeals**

Chief Judge Michael W. Pirtle  
Frankie J. Moore  
Francie C. Riedmann  
Riko E. Bishop  
David K. Arterburn  
Lawrence E. Welch, Jr.

**Nebraska District Judges' Association**

**Nebraska County Judges' Association**

**Nebraska Separate Juvenile Court Judges’ Association**

**Workers’ Compensation Court**

**Administrative Office of the Courts and Probation**

Corey R. Steel, State Court Administrator  
Deborah A. Minardi, Probation Administrator

## **Supreme Court Committees/Commissions/Councils**

### **Access to Justice Commission**

Stephanie F. Stacy, Supreme Court

### **Civil Justice Reform Working Group**

Jonathan J. Papik, Supreme Court

### **Committee on Equity and Fairness**

Stefanie A. Martinez, District Court

### **Consortium of Tribal, State and Federal Courts**

Andrea D. Miller, District Court; Chief Tribal Judge Patrick Runge

### **Self-Represented Litigation Committee**

Frankie J. Moore, Court of Appeals

### **Commission on Children in the Courts**

Francie C. Riedmann, Court of Appeals; Roger J. Heideman, Separate Juvenile Court

### **Commission on Guardianships and Conservatorships**

Francie C. Riedmann, Court of Appeals; Holly J. Parsley, County Court

### **Advisory Council on Public Guardianship**

Todd J. Hutton, County Court

### **Statewide Court Security Clearinghouse Committee**

John R. Freudenberg, Supreme Court

### **Dispute Resolution Advisory Council**

Michael W. Pirtle, Court of Appeals

### **Judicial Branch Education Advisory Committee**

Riko E. Bishop, Court of Appeals

### **Mandatory Continuing Legal Education Commission**

Jonathan J. Papik, Supreme Court

### **Probation Services Committee**

Jodi L. Nelson, District Court

### **Committee on Problem-Solving Courts**

James E. Doyle IV, District Court

### **Public Education Outreach Promoting Law & Equity Media Committee**

Jeffrey J. Funke, Supreme Court; Todd J. Hutton, County Court

### **Technology Committee**

William B. Cassel, Supreme Court

### **Judicial Resources Commission**

Stephanie F. Stacy, Supreme Court

**Commission on the Unauthorized Practice of Law**

Jeffrey J. Funke, Supreme Court

**Advisory Committee to Nebraska Attorneys**

Jeffrey J. Funke, Supreme Court

**Judicial Ethics Committee**

James C. Stecker, District Court; Jeffrey M. Wightman, County Court

**Judicial Qualifications Commission**

Michael G. Heavican, Supreme Court

**Supreme Court Personnel Board**

Kris D. Mickey, County Court

**Committee on Practice and Procedure**

Riko E. Bishop, Court of Appeals

**Nebraska State Bar Commission**

Jeffrey J. Funke, Supreme Court



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