On October 28, 2026, the Nebraska Supreme Court adopted the following rule amendments to Neb. Ct. R. § 6-1208(N):

CHAPTER 6: TRIAL COURTS

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Article 12: Problem-Solving Courts.

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§ 6-1208. Operational requirements.

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(A) All problem-solving courts shall be postplea or postadjudication in nature and, with respect to reentry courts, postsentencing.

(B) Following the effective date of these rules, all new problem-solving courts, with the exception of family dependency drug courts, shall utilize probation personnel.

(C) Before receiving any funding from the Administrative Office of the Courts, problem-solving courts shall have an interlocal agreement or other contract in place. Problem-solving courts directly utilizing probation personnel shall have an interlocal agreement with the Office of Probation Administration outlining the roles, responsibilities, obligations, and the collection of probation fees. Problem-solving courts that are not directly utilizing probation personnel shall have an interlocal agreement or other contract with the Administrative Office of the Courts outlining the roles, responsibilities, and obligations of each. Family treatment courts shall have an interlocal agreement or other contract with the Nebraska Department of Health and Human Services identifying the roles, responsibilities, and obligations of each.

(D) Problem-solving courts applying for access to treatment funds managed by the Office of Probation Administration shall enter into an interlocal agreement with the Office of Probation Administration outlining roles, responsibilities, obligations, and the collection of fees. Such problem-solving courts shall adhere to all Office of Probation Administration policies and procedures in regard to the Offender Fee for Service Voucher Program.

(E) Problem-solving courts shall not deny participation to anyone based on a person's financial status, gender, age, race, religion, physical or mental disability, or ethnicity.

(F) Participants must sign an appropriate consent for disclosure upon application for entry into a problem-solving court in accordance with confidentiality requirements of 42 U.S.C. 290dd-2 and 42 C.F.R. part 2.

(G) Problem-solving courts shall have a core team of professionals responsible for the case management of participants. All members of the core team of professionals shall complete orientation and continuing education and training appropriate to the operation of the specific problem-solving court. Content, intervals, and duration for the specific problem-solving court's education program shall be as established by the Director of Judicial Branch Education, subject to the approval of the Supreme Court, using national and state best practice standards.

(H) Problem-solving courts shall advise the Administrative Office of the Courts, in writing, of the source(s) of all program funding. Problem-solving courts eligible for available federal funding or other grant-based funding are encouraged to make all reasonable efforts to secure such funding.

(I) Where a problem-solving court relies upon the collection of state or local fees from program participants, an individual's inability to pay such fees shall not be used to deny entrance to or advancement within the program, or as a reason for termination from the program. Decisions regarding the inability to pay fees are subject to judicial discretion.

(J) All problem-solving court participants shall remit all state or local fee payments to the clerk of the court. The clerk of the court shall collect all required state and local fees and shall disperse and report such fees according to law and the policies of the Administrative Office of the Courts.

(K) All problem-solving courts shall collect management information and data on the governance and operation of the courts and shall report such information and data in such reports and at such frequency as required by these rules and Appendix 1 and as the Administrative Office of the Courts and Probation may from time to time require.

The collection and reporting of the information and data shall be by utilization of the Nebraska Probation Application for Community Safety System (NPACS). The scope of the data and information collected and reported shall be as necessary to comply with the reporting requirements in the problem-solving court's performance measures and the

problem-solving court's audit process as more fully described in Appendix 1 to these rules.

(L) All problem-solving courts shall utilize evidence-based practices as identified by applicable scientific research and literature and shall adhere to best practice standards.

(M) The Court shall reserve the right to allow exemptions to any of the requirements set forth in § 6-1208(A) through (L). Any request for an exemption shall be made to the Court in writing. Exemptions shall be terminated at the discretion of the Court.

(N) The Nebraska Supreme Court authorizes the Administrative Office of the Courts and Probation to develop a protocol for shared supervision of a participant when the participant resides outside of the originating problem-solving court district.

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