

On May 27, 2026, the Nebraska Supreme Court approved the following rule amendments to the Rules of the County Court of the Fourth Judicial District:

**District 4**

**~~Douglas County Court Rules~~**

**Rules of the County Court of the Fourth Judicial District**

**Scope and Effective Date**

These rules take effect upon approval by the Nebraska Supreme Court and will be published on the Nebraska Judicial Branch website. They supplement the Nebraska Supreme Court Rules and apply to all divisions of the County Court, including Civil, Criminal, and Probate.

**Rule 1. ~~{Reserved}~~ General Rules**

**Rule 1-1. Term of Court**

The court term begins January 1 and ends December 31 each year.

**Rule 1-2. Pleadings and Filings**

A. Identification. All pleadings and documents submitted for judicial action—including proposed orders— must clearly identify their type (e.g., Complaint, Motion, Application, Answer, Order).

B. Motions Requiring Hearings. Motions requiring a hearing must be filed before the hearing date and within the time requirements as provided by law. A proposed Order for Hearing must accompany the motion. The court will assign the hearing date, time, and location. If all parties agree to the requested relief, a Stipulated Order may be submitted.

C. Notice. The moving party must serve timely notice of the hearing on all opposing parties and include a certificate stating how notice was given. When documents are electronically filed, Neb. Ct. R. § 2-205 governs.

D. Required Forms. Any form mandated or approved by the Nebraska Supreme Court or the Administrative Office of the Courts must be used. If no required form exists, filings must comply with applicable procedural rules. <https://nebraskajudicial.gov/forms>.

E. Prohibited Language. Filings may not contain the gratuitous use of abusive, threatening, or profane language that does not serve a legitimate legal purpose. Such filings may be stricken and may result in additional sanctions, including denial of relief or dismissal.

### **Rule 1-3. Continuances**

A. Requirements. Requests for continuances must be filed by written motion, state the grounds for the request, and include a supporting affidavit. The motion must be filed no less than 3 business days before the scheduled hearing, absent good cause shown. Except in unusual circumstances, only one continuance will be granted.

B. Notice. Continuances will not be granted ex parte. Motions failing to show agreement of all parties will be set for hearing like any other motion. Stipulated motions to continue may be submitted to the court for consideration without hearing.

C. Judicial Discretion. Continuances are granted or denied at the court's discretion. If the motion is denied or not ruled on before the hearing, all parties must appear.

### **Rule 1-4. Courtroom Attire and Decorum**

A. Counsel Conduct. Counsel must speak clearly from counsel table unless permitted to approach the bench. Counsel shall address witnesses, opposing counsel, and jurors by last name; arguments must be directed to the court. Counsel must identify themselves on the record at the start of the hearing.

B. Timeliness and Attire. Parties and attorneys must appear on time and be prepared to proceed. Failure to appear may result in dismissal or other sanctions. Attorneys must wear ordinary business attire.

C. Courtroom Behavior. All persons must be seated promptly and remain quiet and orderly. No cellphone use, eating, drinking, or distracting conduct is permitted.

D. Searches. At the direction of the court, security officers may search any person entering the courtroom for weapons, destructive devices, or other prohibited items.

E. Electronic Devices. Use of cell phones or electronic devices is prohibited without permission of the court. Violations may result in removal or confiscation. This rule does not alter the Supreme Court's expanded media coverage rules (Neb. Ct. R. § 6-2003 et seq.).

### **Rule 1-5. Remote Hearings**

In-person appearances are presumed. Parties may request to appear remotely by written motion.

A. Motion to Appear Remotely. The motion must be filed at least 5 business days before the hearing and state:

1. Good cause for the request.
2. Whether the opposing party consents, and
3. Confirmation of access to necessary technology.

If denied or not ruled upon before the hearing, parties must appear in person.

B. Judicial Discretion. The judge may deny remote participation if it would prejudice a party, involve physical evidence, require live testimony, or undermine fairness or courtroom integrity.

C. Setting and Environment. Remote participants must appear from a quiet, private, stationary location. Participation from vehicles, public spaces, or while driving is prohibited.

D. Equipment and Decorum. Participants must coordinate with the Court Administrator and Judicial Assistant. They must use a device with a working camera and microphone, appear under their full legal name, keep video on unless excused, mute when not speaking, and maintain courtroom-appropriate attire and behavior.

E. Technical Failures. Avoidable technical issues preventing appearance will be treated as a failure to appear. Participants are responsible for adequate equipment and internet.

F. Recording. No recording, photographing, or broadcasting of remote hearings is permitted without court approval. This rule does not alter Neb. Ct. R. §§ 6-2003 to 6-2005.

G. Confidentiality. Remote appearance may be denied or restricted if it interferes with participation, attorney-client communication, privacy, or integrity of the proceeding.

### **Rule 1-6. Jury Trials**

Each judge is assigned 1 month per year for criminal jury trials and 3 months per year for civil jury trials. Any deviation requires approval of the Presiding Judge.

In civil cases, parties need not be present for the return of the verdict unless requested. In criminal cases, defendants must remain in the courthouse during deliberations unless otherwise ordered.

### **Rule 1-7. Civil Cases**

A. Filing and Notice. Unless ordered otherwise:

1. Motions requiring a hearing must be filed before the hearing date, and the moving party must obtain a hearing date before filing.

2. The moving party must serve notice of the hearing at least 14 days in advance, consistent with Supreme Court Rules.

3. Electronic filings are governed by Neb. Ct. R. § 2-205.

B. Motions to Compel. A motion to compel must:

1. Give notice to all parties and affected persons,

2. Certify a good-faith effort to resolve the dispute,

3. State that the movant has complied with the Nebraska Rules of Discovery, and

4. Show reasonable attempts to obtain missing or incomplete discovery responses.

C. Amended Pleadings. Amendments after an answer is filed may be allowed at the court's discretion. Pleadings may not be amended by erasure, substitution, or interlineation. If leave to amend is granted but not used in time, the party is deemed to stand on the original pleading. Original pleadings must remain in the file.

D. Case Progression. All cases must comply with Neb. Ct. R. § 6-101. Cases not meeting progression standards may be set for show-cause dismissal. Progression orders may include:

1. Discovery deadlines,
2. Pretrial conference scheduling, and
3. Trial dates.

E. Exhibits. Trial exhibits must be provided to the court and opposing parties at least 48 hours before the hearing. The court may preclude untimely exhibits.

F. Expedited Matters. (Reserved.)

G. Miscellaneous. (Reserved.)

### **Rule 1-8. Criminal Cases**

A. Case Assignments. All Criminal and Traffic cases are assigned a judge following arraignment.

B. Motions.

1. General. The assigned judge hears all case-related motions. Motions will be set on the judge's next available date. If an evidentiary hearing is required, the initial setting serves as a scheduling conference.

2. Motions to Review Conditions of Bond. These motions shall be heard by the judge who set bond unless that judge is unavailable. If unavailable, the motion may be heard by the assigned judge. If both are unavailable, it may be heard by the judge in courtroom 228. "Unavailable" means the judge is not scheduled to preside in courtrooms 226-229 that day. All motions must clearly state:

- a. The names of the bond-setting judge and the assigned judge.
- b. The specific bond condition to be reviewed, and
- c. The reason the matter must be heard by the judge in courtroom 228.

Failure to comply may result in summary denial.

3. Motions to Enter Plea (Time and Costs). These motions shall be heard by the assigned judge unless that judge is unavailable. If unavailable, it may be heard by the judge in courtroom 228 in the afternoon. "Unavailable" means the judge is not scheduled to preside in courtrooms 226-229 that day.

The judge in courtroom 228 has discretion to take the plea or refer it back to the assigned judge.

This rule applies only to cases with an agreement to plead for time and costs already served.

4. Case Reassignment for Judicial Economy. When a defendant has multiple pending cases, the judge assigned to the lowest numbered case will hear all related cases. A Motion to Reassign must be filed, which may be granted summarily. The motion shall include all open dockets with case number and judge assigned.

This rule does not apply to felonies or cases set for jury trial/jury pretrial.

#### 5. Disposition of Cases in Warrant.

##### a. Contempt and Failure to Appear Warrants

- Motions to cancel warrant must be filed no less than 24 hours before the requested hearing time. Motions may be heard in front of the assigned judge or in courtroom 228 in the afternoon.

##### b. Arrest Warrants

- Cases with an active arrest warrant may be brought in with at least 24 hours' notice. Arrest warrants cannot be cancelled, but at the discretion of the judge, a bond may be set.

C. Expanded Media Coverage. See Neb. Ct. R. §§ 6-2001 to 6-2005.

**Rule 1-9. Probate Cases (Reserved.)**

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