

# NEBRASKA SUPREME COURT



STEPHANIE F. STACY  
JUDGE

P.O. BOX 98910  
STATE CAPITOL BUILDING  
LINCOLN, NEBRASKA 68509  
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December 11, 2020

Senator Jim Scheer  
Speaker of the Nebraska State Legislature  
State Capitol Bldg., Rm. 2010  
Lincoln, NE 68509

The Honorable Pete Ricketts  
Governor of the State of Nebraska  
1445 K Street  
Lincoln, NE 68509

The Honorable Chief Justice Michael Heavican  
State Capitol Bldg., 13<sup>th</sup> Floor  
Lincoln, NE 68509

Re: Judicial Resources Commission Annual Hearing

Dear Speaker Scheer, Governor Ricketts, and Chief Justice Heavican:

On December 10, 2020, the Judicial Resources Commission held its annual hearing pursuant to Neb. Rev. Stat. § 24-1205 (Reissue 2016). Advance notice of the time, place, and agenda for the annual public hearing was published on November 25, 2019. An amended hearing notice was published on December 1, 2020. The hearing included videoconferencing.

This letter will serve as the Commission's report on the 2020 annual public hearing, and it will also report on several judicial retirements addressed during that hearing.

## 2020 Annual Hearing

The Commission was briefed on the comprehensive judicial workload assessment recently concluded by the National Center for State Courts, including review of the new methodology and case weights approved by the Nebraska Supreme Court. The Commission reviewed and discussed the FY2020 Annual Caseload Reports and Weighted Caseload Reports, which were recently published using the new methodology and case weights. Finally, the Commission examined and discussed caseload trends over the past 10 years in the district, county, and separate juvenile courts.

The Commission received no recommendations or requests from judges, members of the bar, or the public, to add or reduce a judgeship in any court, or to change judicial district boundaries or the number of judicial districts. However, it was noted that the impact of the new weighted caseload standards was not yet widely known, as reports using those standards were only recently published.

After expressly considering each of the issues set out in Neb. Rev. Stat. § 24-1205, the Commission had no specific changes to recommend at this time, but voted unanimously to revisit the annual meeting topics at its next quarterly meeting in 2021. If future study and discussions result in any specific recommendations regarding the addition or reduction of a judgeship, or a change to judicial district boundaries or the number of judicial districts, an appropriate report will be submitted to the Legislature, the Governor, and the Supreme Court.

### **Judicial Retirements**

Immediately after completing the annual hearing agenda, the Commission took up three recent judicial retirements: (1) the retirement of Judge Steven B. Timm from the County Court in the 1<sup>st</sup> Judicial District; (2) the retirement of Judge John A. Colborn from the District Court in the 3<sup>rd</sup> Judicial District; and (3) the retirement of Judge Linda Caster Senff from the County Court in the 5<sup>th</sup> Judicial District.

The Judicial Resources Commission determined that:

- (1) A judicial vacancy exists in the office of the County Court in the 1<sup>st</sup> Judicial District, due to the retirement of the Honorable Steven B. Timm, effective October 31, 2020.

The Supreme Court met in special consultation and, pursuant to Neb. Rev. Stat. § 24-809.05 (Reissue 2016), determined the primary office of this vacancy should be in Beatrice, Gage County, Nebraska.

- (2) A judicial vacancy exists in the office of the District Court in the 3<sup>rd</sup> Judicial District, due to the retirement of the Honorable John A. Colborn, effective October 31, 2020.

The Supreme Court met in special consultation and, pursuant to § 24-809.05, determined the primary office of this vacancy should be in Lincoln, Lancaster County, Nebraska.

- (3) A judicial vacancy exists in the office of the County Court in the 5<sup>th</sup> Judicial District, due to the retirement of the Honorable Linda Caster Senff, effective October 31, 2020.

The Supreme Court met in special consultation and, pursuant to § 24-809.05, determined the primary office of this vacancy should be in Aurora, Hamilton County, Nebraska.

The judicial nominating process will begin on all of these vacancies, as provided by law.

Respectfully,

  
Stephanie F. Stacy

SFS/dm

pc Chief Justice Michael G. Heavican  
Corey R. Steel, State Court Administrator  
Wendy Wussow, Clerk, Nebraska Supreme Court  
Members of the Judicial Resources Commission