

NEBRASKA SUPREME COURT

STEPHANIE F. STACY
JUDGE



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December 13, 2021

Senator Mike Hilgers
Speaker of the Nebraska State Legislature
P.O. Box 94604
State Capitol Bldg., Rm. 2103
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., Room 2214
Lincoln, NE 68509

Re: Judicial Resources Commission Annual Hearing

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

On December 10, 2021, 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 was published on November 18, 2021. The Annual Hearing was conducted in-person in Room 1510 of the State Capitol Building, and included the option of virtual conferencing via WebEx for members of the Commission and the public. This letter will serve as the Commission's report on the 2021 Annual Hearing.

2021 Annual Hearing

The Commission was briefed on the FY2021 Annual Caseload Reports and Weighted Caseload Reports, and examined caseload trends in the district, county, and separate juvenile courts. The Commission also reviewed and discussed other data impacting judicial resources, including the expansion of problem solving courts, the significant increase in self-represented litigants, the number of Nebraska counties with no practicing attorneys, the increasing need for language interpreters, statewide population changes, disparities in courthouse bandwidth across the state, and the use of remote technology in court proceedings.

The Commission received no specific recommendations or requests to reduce a judgeship in any court, or to change judicial district boundaries or the number of judicial districts. After noting that the current number of judicial districts for the district and county courts has remained unchanged for several decades, the Commission voted unanimously to study the optimal number and configuration of judicial districts, and asked the Administrative Office of the Courts and Probation to compile and provide specific data to support such a study. It is anticipated that the supportive data requested by the Commission will be presented and discussed at regular quarterly Commission hearings throughout 2022, and that any recommendations resulting from such discussions will be placed on the agenda for the 2022 Annual Hearing.

Additionally, the Commission received and considered a request from the district court judges in Douglas County to recommend adding an 18th judgeship in the 4th Judicial District. The Commission considered written and oral testimony bearing on the issue, and voted unanimously to recommend the creation of an 18th district court judgeship position in the 4th Judicial District.

Judicial Retirement

The Commission also took up whether a vacancy exists due to the retirement of Judge Stephen R. Illingworth from the district court bench in the 10th Judicial District, effective November 20, 2021. After considering the statutory factors and the testimony received, the Commission unanimously determined that a judicial vacancy exists in the office of the district court in the 10th Judicial District. After the vacancy was declared, the Nebraska Supreme Court met in special consultation and determined the primary office location of such vacancy should be in Hastings, Adams County, Nebraska. The judicial nominating process will begin on this vacancy, 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