

NEBRASKA

Racial/Gender Bias, Drug Court

This state's summary includes reports from the following:

[Nebraska Supreme Court](#)

The information below is from the [Nebraska Supreme Court](#) annual report 2000 and can be found at <http://court.nol.org/community/Report2000.PDF>.

The *Minority and Justice Task Force* is a combined effort of the Supreme Court and the State Bar Association to analyze the problems minorities encounter in the court system and legal profession. The Task Force announced the appointment of Mr. Eduardo Zendejas as the project coordinator. The Minority and Justice Task Force is composed of thirty-three members from throughout Nebraska, including judges, attorneys, and members of many of Nebraska's minority communities. The Task Force is co-chaired by Justice John M. Gerrard. The project will examine issues of racial and ethnic fairness within four major areas including personnel and employment practices with the courts; access to the courts; civil, criminal and juvenile justice; and the legal profession. Mr. Zendejas will coordinate the activities of the Task Force including necessary research, developing findings and recommendations, and planning for changes to ensure equal access to justice and the legal profession.

Contact: Judy Beutler at the Administrative Office of the Courts, 402/471-2921.

Drug Court Committee: The Nebraska Supreme Court has established a committee to evaluate the feasibility of implementing "drug courts" or other similar "community courts" in Nebraska. The committee, appointed in January 2001, will also advise the Supreme Court whether such courts would have a positive effect on the administration of justice in the State and, if so, to provide the Court with recommendations for the structure and integration of such courts into the judicial system.

Contact: Joe Steele, Administrative Office of the Courts, 402/471-3730.

The *Office of Dispute Resolution*, created in 1991, is part of the Administrative Office of the Courts. The Office, with input from its advisory council, oversees the development of dispute resolution and collaborative problem solving programs in Nebraska. The office works collaboratively with six non-profit mediation centers that provide services to the entire state. This public-private partnership creates an efficient, effective, and responsive system that enhances existing structures and fosters new opportunities to prevent and resolve conflict. The volume and types of cases handled by the ODR system continue to grow and expand. During 2000, family/divorce, small claims, and victim-offender (restorative justice) cases comprised the most cases filed. The three top referral sources for mediation services were small claims court, legal service organizations, and social service agencies. The ODR system serves citizens from all economic levels, but 67% of the clients served earned \$20,000 or less. Through outreach, training, and workshops, the ODR system touched over 5000 Nebraska citizens during 1999-2000. The system is dependent on trained volunteers committed to the common goal of peace making. Over 7,000 volunteer hours were logged during 1999-2000.

Contact: Wendy Hind, Office of Dispute Resolution, 402/471-3148.

The *Court Improvement Project* continues to support efforts to improve the functioning of juvenile courts in Nebraska. A major endeavor during the year 2000 was to maintain Family Group Conference projects in three pilot areas while working with Department of Health and Human Services and the Office of Dispute Resolution to implement Family Group Conferencing statewide. CIP staff began an evaluation of the Family Group Conferencing project in addition to completing an evaluation of Court Appointed Special Advocate (CASA) programs. The CASA evaluation found that CASA volunteers increased both the quality and quantity of information available to judges when compared to cases that did not have

CASAs assigned. CIP completed a project tracking the implementation of the Adoption and Safe Family Act in Nebraska courts and distributed the findings to the Supreme Court, individual judges, and relevant agencies. Court Improvement Project funds were used for guardian *ad litem* training provided by Nebraska Continuing Legal Education and are supporting a revision of the Nebraska Juvenile Code. To assist the three separate juvenile courts in achieving timely permanency for abused and neglected children, the Court Improvement Project has obtained a federal grant to foster collaboration between Department of Health and Human Services and court staff.

Contact: Janice Walker, Administrative Office of the Courts, 402-471-2764.

Supreme Court Client Security Fund Committee: The Supreme Court believes that an adequately funded, accessible, and responsive Client Security Fund is vitally important to increase and maintain the public's confidence in the legal profession. To that end, on October 29, 2000, the Supreme Court, with the support of the Nebraska State Bar Association, established a committee to study the existing Client Security Fund and to make recommendations to the Supreme Court regarding how the fund's operation can be improved.

Contact: Justice Lindsey Miller-Lerman, Chair, Nebraska Supreme Court, 402-471-3734.

The *Nebraska Supreme Court Gender Fairness Implementation Committee* under the leadership of Justice John M. Gerrard, continues to work toward gender equity in the Nebraska court system for all participants. The membership of this committee includes representatives from the judiciary, court administration, bar, law schools, and lay persons. During 2000, the education subcommittee produced a videotape addressing the impact of gender bias on the legal profession and judicial system. Financial assistance for this project came from the Nebraska State Bar Association in cooperation with the Family Law, Labor and Employment Law, and Women and the Law Sections of the NSBA. The tape has been viewed at the Nebraska Bar Association meetings, judges' meetings, and county court employees' meetings. Further distribution of the videotape is planned. Other projects and accomplishments of the Committee include: reviewing legislation; monitoring appointments to the bench; adding a fast track process to be used for all complaints against judges that allege violations of workplace harassment; and additions to the Judges Bench Book regarding protection orders.

Contact: Judy Beutler, Administrative Office of the Courts, 402/471-2921.

Legislative Court Visit Program: At the request of Chief Justice Hendry, Nebraska trial court judges have hosted state senators for a day in court. The purpose of the Legislative Court Visit Program is to give the legislators a better understanding of the court system and the complexity, volume, and variety of work in the county and district courts. The court visits give state senators a chance to observe court proceedings and to talk with local judges and court employees. It also provides an opportunity, in the words of one participating senator, to "see how the laws we pass work." Participating senators and judges are surveyed at the conclusion of the program and both groups overwhelmingly vouch for the benefits afforded by the experience. The Legislative Court Visit Program is conducted each year for new senators.

Contact: Janet Hammer, Administrative Office of the Courts, 402/471-3205.

Spanish interpreters who serve Nebraska courts were provided training and testing during the year 2000. The Nebraska Supreme Court belongs to a consortium for interpreter certification directed by the National Center for State Courts. This 24-state consortium conducts standardized interpreting tests for court interpreters wishing to be certified. In September, a two-day workshop was offered in Grand Island with the purpose of increasing professionalism of Spanish language interpreters. In November, 44 interpreters from across the state took an exam given by staff of the Administrative Office of the Courts with the hope of becoming certified under this program. The Court plans to develop similar programs for other languages in the future. As those services are available, interpreters will be notified and invited to attend.

Contact: Ken Wade, Administrative Office of the Courts, 402/471-2671.

Judicial Branch Education: The Nebraska Supreme Court appointed members to a newly created Judicial Branch Education Advisory Committee in December 2000. The committee and its duties are the work product of a group of judges and staff representing all levels of courts in Nebraska. Throughout the upcoming months, committee members will design a structure to provide continuing education to all employees in the court system. The goal of this continuing education is to maintain and improve the professional competency of all judicial branch employees, enhancing the performance of the judicial system as a whole. Additional objectives are to assist judicial branch employees in acquiring the knowledge, skills, and attitudes required to perform their responsibilities fairly, correctly, and efficiently; to promote judicial branch employees' adherence to the highest standards of personal and official conduct; to preserve the integrity and impartiality of the judicial system by developing programs aimed at eliminating bias and prejudice, and the appearance of bias and prejudice; to promote effective court practices and procedures; to improve the administration of justice; and to enhance public confidence in the judicial system.

Contact: Janet Hammer, Administrative Office of the Courts, 402/471-3205.

Teen Courts (supported by judges, but not sponsored by the court) give four Nebraska towns an innovative approach to teen crime. The State's first teen court was formed in Sarpy County in October 1995. Nebraska now has four teen courts with the recent addition of one on the Santee Sioux Indian reservation. Douglas and Lancaster counties have similar courts. A teen court works much like a regular court, except the prosecuting attorneys, defense attorneys, bailiffs, and jurors are all teenagers. Lawyers volunteer to serve as judges. In Sarpy County, nine attorneys rotate as judges for court, which is held every Tuesday and Thursday evening in two regular courtrooms at the county courthouse. Defendants are selected for teen court by coordinators of the court. Teen court is not a court where guilt and innocence is determined. Only those ages 13 through 17 who have pleaded guilty are eligible. Also, only first-time offenders, facing non-violent misdemeanors are included. No drug cases are allowed.

The idea is to select offenders who deserve a second chance. Panels of six or twelve jurors hear testimony in the case and decide sanctions. Sentences in teen court are very creative. They have included apology letters, tours of local jails, return of stolen items, ride along with police, and improving grades in school. All defendants in teen court are required to perform community service and volunteer as a teen court juror as part of their sentence. When it is all over, teens leave the courthouse with a clean record. If they fail to fulfill the sanctions passed down by the teen court, they are returned to regular juvenile court. Further information is available from the juvenile courts in Sarpy, Douglas, Lancaster County and the Santee Reservation High School.

Mock Trial Competition. Across Nebraska, judges and court employees participated as volunteers in the Nebraska State Bar Foundation mock trial competition. During 2000, 151 teams representing 81 schools took part in the state competition. In May 2001 the National High School Mock Trial Championship was held in Omaha with teams from across the nation gathering to compete. Over 100 judges participated in this national competition which draws approximately 1000 participants and attendees.

Contact: Nebraska State Bar Foundation, 402/475-1042.

General Contact: Joseph C. Steele, State Court Administrator, Administrative Office of the Courts/Probation, State Capitol Building, Room 1220, P.O. Box 98910, Lincoln, NE 68509-8910; 402/471-3730; fax: 402/471-2197; jsteele@nsc.state.ne.us; <http://court.nol.org/>