

RULE AMENDMENTS

On August 27, 2008, the Nebraska Supreme Court adopted the following amendments to Neb. Ct. R. § 6-1459:

§ 6-1459. Presiding judges.

The presiding judge has primary responsibility for overseeing the delivery of county court services within the geographical area of the judicial district.

In districts where there is a judicial administrator, the presiding judge, in accordance with Nebraska Supreme Court Personnel Policies and Procedures, bears the responsibility for the hiring, evaluation, and discipline of the judicial administrator. The presiding judge is to provide direction to the judicial administrator in matters of local district policy. A presiding judge is to provide direction to the judicial administrator to ensure that state statutes, Supreme Court rules, and policies of the Administrative Office of the Courts are appropriately carried out. The presiding judge is the immediate supervisor of the judicial administrator and shall meet with the judicial administrator on a regular basis to coordinate the work of the judges and staff within the district.

In districts where there is no judicial administrator, the presiding judge bears the responsibility for the hiring, evaluation, and discipline of the clerk magistrates in the district. The presiding judge is to provide direction to the clerk magistrates in matters of local district policy. A presiding judge is to provide direction to the clerk magistrates to ensure that state statutes, Supreme Court rules, and policies of the Administrative Office of the Courts are appropriately carried out. The presiding judge is the immediate supervisor of the clerk magistrates and shall meet with the clerk magistrates on a regular basis to coordinate the work of the judges and staff within the district. In districts with more than one county, these duties may be assigned to individual judges on a county-by-county basis.

It shall be the responsibility of the presiding judge to coordinate the work of all judges within the district. This may include

NEBRASKA ADVANCE SHEETS
RULE AMENDMENTS

ii

assigning judges to various duties within a single county or among various counties of the district.

The presiding judge shall bear the responsibility of notifying the Administrative Office of the Courts if there is a need for a substitute judge anywhere in the district.

The presiding judge shall delegate appropriate administrative responsibility to the judicial administrator and the rest of the administrative staff of the district or to the clerk magistrates and the rest of the administrative staff of the counties relating to budget preparation and general administration, case management, facilities, personnel administration, and court records management. In districts with more than one county, these duties may be assigned to individual judges on a county-by-county basis.

It shall be the responsibility of the presiding judge to plan and chair each year a meetings, on at least a quarterly basis, of all judges, judicial administrators, and clerk magistrates within a district. The presiding judge may plan and chair additional meetings as deemed necessary in the discretion of the presiding judge of all judges, judicial administrators, and clerk magistrates within a district.

The presiding judge shall be the liaison to the Nebraska State Bar Association and the press for the courts of the district. In districts with more than one county, these duties may be assigned to individual judges on a county-by-county basis.

The presiding judge shall be the liaison to other agencies of local and state government for the courts of the district. In districts with more than one county, these duties may be assigned to individual judges on a county-by-county basis.

It shall be the responsibility of the presiding judge of the district to review the audits of all county courts of the district to make sure that the accounting practices being followed are in accordance with the County Court Accounting Manual. It is the duty of the presiding judge to respond to any audit recommendation. It is also the duty of the presiding judge to make all records and information available to the individuals doing the audit.

It shall be the duty of the presiding judge to approve any reinstatement of bonds which have been forfeited for more than 90 days when the presiding judge determines it is in the best interests of justice. In districts with more than one county, these duties may be assigned to individual judges on a county-by-county basis.

The presiding judge shall be elected each year by a majority vote of the judges of the district subject to approval by the Supreme Court. Notification of the name of the individual elected as presiding judge of the district shall be given to the State Court Administrator no later than ~~January 15~~ the last day of November of each year.

A presiding judge shall hold the position for a term of 1 year from the first day in January to the last day in December of the same year. There is no limit on the number of terms a presiding judge may serve. A judge who has served for two or more consecutive terms may decline to serve another consecutive term. The election of a presiding judge must be approved by the Supreme Court. If notice of disapproval of the person elected to be presiding judge is not given within 15 days of the submission of the name to the State Court Administrator, then the person shall be deemed approved. If the Supreme Court disapproves of the person elected to be presiding judge, the district shall elect another person and submit that name to the State Court Administrator within 10 days of the notice of disapproval.

A presiding judge shall hold the position for a term of 1 year and may serve two consecutive terms.