

Cuts could make big impact on courts

Proposed budget cuts in the Nebraska court system could produce a major impact in the rural courts.

A group of lawyers from the Nebraska State Bar Association have been traveling the state to point out what that impact might be.

The impact could involve closing of several county court clerk's offices. And it could mean a reduction in office staff in other areas.

Mike Kinney, attorney from Omaha, led the group that visited Holdrege earlier this week. He said the state legislature wants the State Supreme Court to submit a budget that shows a 10 percent cut.

A proposal was submitted to the legislature last year.

If the proposal is approved, it could mean the closing of 30 county court clerk offices.

"That where it's lights out, lock the door, nobody's home, no court," Mr. Kinney said.

It could also mean reduction in staff at clerk offices in about 30 other counties.

"This is not what the Supreme Court supports or advocates," Mr. Kinney said. "This is a response to legislators wanting to see a budget that knocks 10 percent off."

According to a map distributed by Bar Association, clerk's offices in Gosper, Frontier and Franklin counties would be closed.

Staff would be reduced in Kearney and Furnas counties.

No changes were anticipated for Phelps and Harlan counties.

Mr. Kinney said the changes could be devastating for some people who would have to travel to different counties to get to an open court.

He added that there is also talk about another budget-saving move -- replacing court reporters with recording equipment.

"The Bar Association has taken a position that we are opposed to that," he said.

He added that change is more in form of an option for individual judges.

When a new judge asks permission to hire a court reporter, the Supreme Court will ask the judge if he would consider using digital equipment.

"If the judge says no, they will let him hire a court reporter," Mr. Kinney said.

He said that lawyers across the state oppose replacing the reporters.

"This is really a concern about the accuracy of the record," he said. He pointed to incidents where court proceedings that were recorded can sometimes have several inaudibles. He recalled one case where there were 85 inaudibles in a transcript.

On the other hand, court reporters can ask for things to be repeated and make sure the transcript is



VISIT TO HOLDREGE -- Members of the Nebraska State Bar Association visited Holdrege this week to discuss some issues such as judicial retention and budget cutting. Seated are Michael Kinney, of Omaha and Jane Schoenike, executive director of the NSBA. Standing are Bill Tringe, Holdrege; Mary Johnson and Bill Mueller, both of Lincoln.

accurate.

The bar group also discussed the latest Judicial Performance Evaluation conducted by the association.

"The thinking is -- ask the people who know the judges best," Mr. Kinney said. "They can hopefully give some guidance to the public."

In Nebraska, the public makes the final decision. A newly appointed judge stands for a retention vote after two years in office. If he is retained, then he stands for retention every six years.

"When you think about it, every time somebody appears in front of a judge there is a winner and a loser," Mr. Kinney said, "and they're getting 95 percent retention -- that's good."

He said about 4,800 ballots were distributed to attorneys. About 1,300 responded, which he said was not as many as they hoped for.

Mr. Kinney said that there is always a segment of

the population who will vote against any judge, even if that judge has a 100 percent rating in the poll.

That segment is around 25 percent of the voters and could be as many as 35 percent.

"That's why it's important to us to get the word out to people," Mr. Kinney said.

The review rates the judges in terms of judicial temperament, judicial demeanor, quality of opinions, punctuality and the way they treat the public.

Ratings for judges in Judicial District 10 included:

District Court -- Steve Illingworth, Hastings, 88.6 percent (for retention); Terri S. Harder, Minden, 93.8 percent.

County Court -- Robert Ide, 94.5 percent; Jack R. Ott, 86.2 percent.

Mr. Ide and Mr. Ott will be on the ballot for retention votes this November.