

## NOTICE OF COMMENT PERIOD

The Juvenile Judges Curriculum Committee submitted to the Supreme Court proposed juvenile judge curriculum guidelines to be set forth at Neb. Ct. R. ch. 1, art. 5, appendix A. The Nebraska Supreme Court directed that the proposed curriculum guidelines be published for a public comment period.

The Nebraska Supreme Court invites interested persons to comment on the proposed curriculum guidelines. Anyone desiring to comment on the proposed guidelines should do so in writing to the office of the Clerk of the Supreme Court and Court of Appeals, P.O. Box 98910, Lincoln, Nebraska 68509-8910, or via e-mail to [ashley.nolte@nebraska.gov](mailto:ashley.nolte@nebraska.gov), no later than November 1, 2017.

The full text of the proposed amendments is available on the following pages, or a hard copy may be obtained from the Office of the Clerk of the Supreme Court and Court of Appeals upon request.

# Appendix A

## JUDICIAL BRANCH EDUCATION STANDARDS

### STANDARDS FOR APPELLATE COURT JUDGES

#### **Program Requirements**

Appellate court judges (judges of the Nebraska Supreme Court and the Nebraska Court of Appeals) shall receive orientation, if applicable, and shall complete a minimum of ten (10) of approved course work each year, including ethics training.

#### **Participant's Responsibilities**

Appellate court judges should obtain and maintain professional competence through judicial education, spend such time as may reasonably be required to accomplish that purpose, support and assist other judges who may be attending judicial education programs as participants or as faculty, and, when reasonably able to do so, teach in judicial or legal education programs.

#### **Curriculum Standards**

a. Judicial education should address the areas of judicial competence, performance, case management, opinion writing, and administration.

b. Judicial education programs should impart knowledge; improve skills and techniques; and increase the understanding of judges regarding their responsibilities and their impact on the judicial process, the people involved, and society.

c. Judicial education programs should include:

1. Orientation before or within twelve months after taking office as outlined in Section 4.
2. Education for new judges on major legal subjects and practical skills needed by them and appropriate to the jurisdiction of the court in which they serve.
3. Periodic educational offerings for all judges on the substantive, procedural, and evidentiary laws, ethics, United States constitutional law, and applicable federal law.
4. Continuing education programs emphasizing new developments in the law and judicial administration, procedural and technological developments in the judicial system, opinion writing, and other programs to enhance the efficiency, abilities, and knowledge of each judge.
5. Advanced and specialized programs.
6. Online courses and distance programs as offered or approved by Judicial Branch Education

#### **Orientation**

Before assuming office, or within twelve months after appointment, JBE shall offer an orientation for the new judge using the experienced judges and comprising a comprehensive presentation of the procedures and functions of that court and procedural and substantive law applicable to it.

#### **Continuing Education**

Appellate judges may attend a combination of approved local, regional, or national programs; At least every three years, a judge should attend a program of regional or national scope. At least every second year, the chief judges of the Courts of Appeals, in satisfaction of these requirements, should attend the annual seminar or meeting of the Council of Chief Judges of Courts of Appeals.

# STANDARDS FOR DISTRICT, COUNTY AND SEPARATE JUVENILE COURT JUDGES

## Program Requirements

Judges of the trial courts shall receive an orientation within 6 months of taking office and attend a general jurisdiction course outside of the State of Nebraska within 18 months of taking the bench. Trial Court judges shall complete a minimum of ten hours of approved course work each year.

## Participant's Responsibilities

Judges should obtain and maintain professional competence through judicial education, spend such time as may reasonably be required to accomplish that purpose, and support and assist other judges who may be attending judicial education programs as participants or faculty and, when reasonably able to do so, teach in judicial or legal education programs. Planning for Judicial Branch Education sponsored events shall occur each year utilizing the education committees of the various Judges' Associations. Working in conjunction with Judicial Branch Education, the committees shall develop an education plan to use as a guide in determining annual education offerings.

## Curriculum Standards

a. Judicial education should address the areas of judicial competence, performance, case management, opinion writing, and administration.

b. Judicial education programs should impart knowledge; improve skills and techniques; and increase the understanding of judges regarding their responsibilities and their impact on the judicial process, the people involved, and society.

c. Judicial education programs should include:

1. Orientation before or within six months of taking office. Before assuming office, or within the first six months of assuming office, a new county court judge shall participate in orientation. Such orientation shall be conducted using content approved by JBE upon recommendation of the County Judge's Education Committee.
2. Education for new judges on major legal subjects and practical skills needed by them and appropriate to the jurisdiction of the court in which they serve.
3. A formalized mentoring program for all new judges under guidelines approved by JBE.
4. Attendance at a general jurisdiction course outside of the state of Nebraska within 18 months of taking the bench.
5. Periodic educational offerings for all judges on the substantive, procedural, and evidentiary laws of Nebraska, the ethics of the profession, United States constitutional law, and applicable federal law.
6. Continuing education programs emphasizing new developments in the law and judicial administration, procedural and technological developments in the judicial system, opinion writing, and other programs to enhance the efficiency, abilities and knowledge of each judge.
7. National programs attended by the judge and approved for credit by JBE.
8. Online courses and distance education programs as approved and offered by Judicial Branch Education.

d. Juvenile jurisdiction judges should attend judicial education programs, as are reasonably available through Judicial Branch Education, which include education on major legal subjects and practical skills relevant to juvenile court jurisdiction and the curriculum would include: introduction to juvenile courts, overview of federal and state law, overseeing the 3A cases, overseeing the 3B and delinquency cases, writing orders, termination of parental rights, permanency issues, dispositions, divorce and paternity, mental health, substance abuse, foster care, specific needs of teenagers, the effects of trauma and domestic violence, the Indian Child Welfare Act, and judicial ethics.

# STANDARDS FOR WORKERS' COMPENSATION JUDGES

## Program Requirements

Judges of the Worker's Compensation Court (WCC) shall receive orientation and shall complete a minimum

of ten hours of approved course work each year.

### **Participant's Responsibilities**

Worker's Compensation Judges should obtain and maintain professional competence through judicial education, spend such time as may reasonably be required to accomplish that purpose, and support and assist other WCC judges who may be attending judicial education programs as participants or faculty and, when reasonably able to do so, teach in judicial or legal education programs. The financing scheme for the Workers' Compensation Court provides it resources that can be dedicated to training and education. While JBE does not fund training for the Worker's Compensation Court judges and staff, it works closely with the court to provide education, share resources and track compliance with JBE rules.

### **Curriculum Standards**

a. Judicial education should address the areas of judicial competence, performance, case management, opinion writing, and administration.

b. Judicial education programs should impart knowledge; improve skills and techniques; and increase the understanding of judges regarding their responsibilities and their impact on the judicial process, the people involved, and society.

c. Judicial education programs should include:

1. Orientation before or within six months of taking office.
2. Education for new WCC judges on major legal subjects and practical skills needed by the judge and appropriate to the jurisdiction of the court in which they serve.
3. Periodic educational offerings for all judges on the substantive, procedural, and evidentiary laws of Nebraska, the ethics of the profession, and all applicable substantive law.
4. Continuing education programs emphasizing new developments affecting their court, in the law and judicial administration, procedural and technological developments in the judicial system, opinion writing, and other programs to enhance the efficiency, abilities, and knowledge of each judge.
5. Advanced and specialized programs.
6. Online courses and programs as approved by Judicial Branch Education.
7. National programs attended by the WCC judges and approved for credit by JBE.

### **Orientation**

Before assuming office, or within the first six months of assuming office, a new WCC judge shall participate in orientation. Such orientations shall include procedures and functions of that court and procedural and substantive law applicable to it. The orientation shall be designed by Judicial Branch Education in conjunction with the judges of the Worker's Compensation court.

### **Continuing Education**

Judges may attend a combination of approved local, regional, or national programs.

## **STANDARDS FOR PART-TIME JUDGES**

Retired judges must complete 10 hours of annual education in the event they are sitting as an active retired judge in Nebraska courts in excess of forty hours per year. Judicial Branch Education shall offer appropriate education to allow the retired judge to remain knowledgeable about current issues facing the judiciary.

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