

Agency 05 - Supreme Court

Statutory Authority:

There are two central objectives provided by law to the Supreme Court. The first of those is the obligation to decide cases on appeal. There is a small volume of cases which are exclusively in the jurisdiction of the Supreme Court. The rest of the cases processed by the Supreme Court come as a result of an affirmative decision on a petition for further review in a case previously decided by the Court of Appeals or because of the Supreme Court moving cases either on motion of a party or on its own motion to level workload. There are approximately 250 petitions for further review filed in a year. The Court currently grants less than one petition in five.

Vision Statement:

Mission Statement:

Goals:

Financial Data:

	Actual FY04	Approp FY05	Request FY06	Recom FY06	Request FY07	Recom FY07
General Fund	54,559,587	55,641,210	62,925,311	57,123,213	63,775,973	58,828,044
Cash Fund	4,645,059	9,663,820	7,670,117	8,229,729	7,487,525	7,811,813
Federal Fund	719,428	692,101	782,754	667,023	716,668	667,036
Revolving Fund	0	0	0	0	0	0
Other Fund	0	0	0	0	0	0
Total Agency	59,924,074	65,997,131	71,378,182	66,019,965	71,980,166	67,306,893

Agency 05 - Supreme Court Program 003 - Supreme Court Judges' Salaries

Program Objectives:

This program covers the salaries and benefits of the Chief Justice and the six justices of the Supreme Court of the State of Nebraska. The Supreme Court's basic responsibility is to hear appeals and is the highest appellate court in the State of Nebraska. The right of appeal is guaranteed by the Constitution. The Constitution also provides that certain enumerated original actions and appeals of capital cases and cases involving the constitutionality of a statute must go to the Supreme Court. Additionally, statutes provide for direct appeals to the Supreme Court, bypassing the Court of Appeals, and for further review by the Supreme Court of cases heard originally by the Court of Appeals.

Financial Data:

	Actual FY04	Approp FY05	Request FY06	Recom FY06	Request FY07	Recom FY07
General Fund	941,316	950,245	950,287	942,684	950,287	949,818
Cash Fund	0	0	0	0	0	0
Federal Fund	0	0	0	0	0	0
Revolving Fund	0	0	0	0	0	0
Other Fund	0	0	0	0	0	0
Total	941,316	950,245	950,287	942,684	950,287	949,818

Performance Measures:

Agency 05 - Supreme Court Program 004 - Court Of Appeals Judges' Salaries

Program Objectives:

This program covers the salaries and benefits of the six judges of the Court of Appeals. The Court of Appeals is Nebraska's intermediate appellate court. The Constitution of the State of Nebraska guarantees each citizen the right of an appeal from a trial court to an appellate court. This court and the Supreme Court comprise the appellate courts in Nebraska.

Financial Data:

	Actual FY04	Approp FY05	Request FY06	Recom FY06	Request FY07	Recom FY07
General Fund	768,294	781,848	781,884	771,185	781,884	777,045
Cash Fund	0	0	0	0	0	0
Federal Fund	0	0	0	0	0	0
Revolving Fund	0	0	0	0	0	0
Other Fund	0	0	0	0	0	0
Total	768,294	781,848	781,884	771,185	781,884	777,045

Performance Measures:

Agency 05 - Supreme Court Program 005 - Retired Judges' Salaries

Program Objectives:

This program covers the salary per diem and benefit costs of assigned retired judges. The Supreme Court has the authority to assign retired judges to service on any court in the state. Retired judges so assigned must indicate their willingness to serve. The pay they receive is defined by statute. Generally retired judges are used in the case of vacancies on specific courts. However, from time to time they have been used to relieve workload pressures by adding resources to specific benches.

Financial Data:

	Actual FY04	Approp FY05	Request FY06	Recorm FY06	Request FY07	Recorm FY07
General Fund	42,471	25,000	67,413	25,000	67,413	25,000
Cash Fund	0	0	0	0	0	0
Federal Fund	0	0	0	0	0	0
Revolving Fund	0	0	0	0	0	0
Other Fund	0	0	0	0	0	0
Total	42,471	25,000	67,413	25,000	67,413	25,000

Performance Measures:

Agency 05 - Supreme Court Program 006 - District & Juvenile Court Judges' Salaries

Program Objectives:

This program covers the salaries and benefits for the 55 District Court Judges and the 10 Separate Juvenile Court Judges. The district and separate juvenile courts are created by Article V, Section 1, and Article V, Section 27 of the Constitution of the State of Nebraska, respectively. The district judges serve twelve judicial districts. These judges are the general jurisdiction judges of the State of Nebraska. As such, they hear all felony matters, domestic relations matters, and civil matters where more than \$45,000 is in controversy. Additionally, they have concurrent jurisdiction with the county courts in most, but not all, other matters. Finally, they act as an appeals court for appeals from county courts for civil and criminal cases and also from administrative agencies.

Financial Data:

	Actual FY04	Approp FY05	Request FY06	Recom FY06	Request FY07	Recom FY07
General Fund	7,973,533	8,206,272	8,206,272	8,109,757	8,206,272	8,169,835
Cash Fund	0	0	0	0	0	0
Federal Fund	0	0	0	0	0	0
Revolving Fund	0	0	0	0	0	0
Other Fund	0	0	0	0	0	0
Total	7,973,533	8,206,272	8,206,272	8,109,757	8,206,272	8,169,835

Performance Measures:

Agency 05 - Supreme Court Program 007 - County Court Judges' Salaries

Program Objectives:

This program covers the salaries and benefits for the 59 County Court Judges. The county court was created by Article V, Section 1 of the Constitution of the State of Nebraska and the salaries of the judges of the court are specifically provided for in Section 24-513, R.R.S. 1943. These judges serve twelve judicial districts. These judges have jurisdiction over civil matters of less than \$45,000, misdemeanors, and preliminary hearings in felony cases. Those judges outside of Douglas, Sarpy, and Lancaster county also act as juvenile judges. County courts also have jurisdiction over city ordinance violations and have jurisdiction in probate, adoption, guardianship, conservatorship, and related matters.

Financial Data:

	Actual FY04	Approp FY05	Request FY06	Recom FY06	Request FY07	Recom FY07
General Fund	7,090,875	7,177,172	7,177,526	7,177,585	7,177,526	7,231,678
Cash Fund	0	0	0	0	0	0
Federal Fund	0	0	0	0	0	0
Revolving Fund	0	0	0	0	0	0
Other Fund	0	0	0	0	0	0
Total	7,090,875	7,177,172	7,177,526	7,177,585	7,177,526	7,231,678

Performance Measures:

Agency 05 - Supreme Court Program 052 - Court Operations

Program Objectives:

Umbrella Program Number 052 includes Program Classification Numbers 034, 040, 396, 399, and 405.

This umbrella program includes the appropriations for Court Administration, State Law Library, County Court System, District Court Reporters, and the Court of Appeals.

Financial Data:

	<u>Actual FY04</u>	<u>Approp FY06</u>	<u>Request FY06</u>	<u>Recom FY06</u>	<u>Request FY07</u>	<u>Recom FY07</u>
General Fund	22,222,418	22,460,444	26,093,959	23,455,314	27,013,564	24,386,539
Cash Fund	927,740	1,411,437	1,401,440	1,382,106	1,406,940	1,400,584
Federal Fund	276,566	292,071	316,638	256,949	316,638	256,953
Revolving Fund	0	0	0	0	0	0
Other Fund	0	0	0	0	0	0
Total	23,426,724	24,163,952	27,812,037	25,094,369	28,737,142	26,044,076

Performance Measures:

Agency 05 - Supreme Court Program 067 - Probation Services

Program Objectives:

Umbrella Program Number 067 includes Program Classification Numbers 397 and 398.

This umbrella program includes the appropriations for Statewide Probation and Intensive Supervision Probation.

Financial Data:

	Actual FY04	Approp FY05	Request FY06	Recom FY06	Request FY07	Recom FY07
General Fund	15,520,680	16,040,229	18,010,629	16,641,688	18,054,748	17,288,129
Cash Fund	684,295	652,417	647,803	1,123,020	647,803	667,030
Federal Fund	370,398	0	0	467	0	469
Revolving Fund	0	0	0	0	0	0
Other Fund	0	0	0	0	0	0
Total	16,575,373	16,692,646	18,658,432	17,765,175	18,702,551	17,955,628

Performance Measures:

Agency 05 - Supreme Court Program 235 - Probation Contractual Services

Program Objectives:

Program 235 covers the budget for state probation services provided pursuant to contractual arrangements between the state and local political subdivisions. The program's objective is the delivery of services that a county may desire, which are not necessarily mandated by statute, but are necessary for the successful implementation of county designated programs. Program needs and fiscal concerns amongst the parties regarding the operation of these requested county programs are addressed by way of inter-local agreements between State Probation Administration and the counties in question.

Financial Data:

	Actual FY04	Approp FY05	Request FY06	Recom FY06	Request FY07	Recom FY07
General Fund	0	0	0	0	0	0
Cash Fund	557,626	767,993	780,047	767,993	780,047	767,993
Federal Fund	0	0	0	0	0	0
Revolving Fund	0	0	0	0	0	0
Other Fund	0	0	0	0	0	0
Total	557,626	767,993	780,047	767,993	780,047	767,993

Performance Measures:

Counties who elect to entertain inter-local agreements with Probation Administration for the delivery of Probation-related services are regularly provided with a detailed fiscal breakdown of their expenditures. However, considering these programs aren't within Probation Administration's statutory mandate to provide, Probation Administration doesn't maintain program data concerning these specific county-based programs. Rather, to the extent that it exists, respective counties collect and report program data and/or program performance measures to their respective funding sources.

Agency 05 - Supreme Court Program 435 - Community Corrections

Program Objectives:

Program 435 was established in part through the passage of LB 46 in 2003. Promulgated in law within Section 29-2262.07, Neb. Rev. Stat. (2003 Supp.) and so entitled "Probation Program Cash Fund," this cash fund, using administrative enrollment and monthly programming fees from adult offenders placed on probation, Section 29-2262.06, Neb. Rev. Stat. (2003 Supp.), was created in order to allow the Probation Administrator, in consultation with the Community Corrections Council: "To augment operational or personnel costs associated with the development, implementation, and evaluation of enhanced probation-based programs and to purchase services to provide such programs aimed at enhancing adult probationer supervision in the community and treatment needs of probationers."

Financial Data:

	Actual FY04	Approp FY05	Request FY06	Recom FY06	Request FY07	Recom FY07
General Fund	0	0	0	0	0	0
Cash Fund	0	4,532,134	2,377,902	2,377,902	2,377,902	2,377,902
Federal Fund	0	0	0	0	0	0
Revolving Fund	0	0	0	0	0	0
Other Fund	0	0	0	0	0	0
Total	0	4,532,134	2,377,902	2,377,902	2,377,902	2,377,902

Performance Measures:

Probation Administration, through the use of the Nebraska Probation Management Information System (NPMIS), has the capacity to identify, monitor and evaluate resource allocations as well as any program developments which might be used to strengthen and/or enhance Probation services through the infusion of administrative and/or monthly programming fees. Whereas neither targeted programming nor allocation of administrative and/or monthly programming fees has occurred at this time, no performance measures have been established.

Agency 05 - Supreme Court Program 570 - Court Automation

Program Objectives:

Program 570 represents the court automation budget. This project has developed a court application which is installed in county and district courts across the state. It is currently installed in 92 district courts (all counties except Douglas) and all 93 county courts. The court automation project has resulted in an integrated case management system known by its acronym, JUSTICE. The objective was to build, install, and support one computer system to support the work of the clerks of each court in the State.

Financial Data:

	Actual FY04	Approp FY05	Request FY06	Recom FY06	Request FY07	Recom FY07
General Fund	0	0	1,637,341	0	1,524,279	0
Cash Fund	2,475,398	2,299,839	2,462,925	2,578,708	2,274,833	2,598,304
Federal Fund	72,464	400,030	466,116	409,607	400,030	409,614
Revolving Fund	0	0	0	0	0	0
Other Fund	0	0	0	0	0	0
Total	2,547,862	2,699,869	4,566,382	2,988,315	4,199,142	3,007,918

Performance Measures:

Measures of performance include the volume of cases processed on the system, the time required to process each case, and the adequacy of electronic information exchanges with a host of other state and local computer systems.