

# Nebraska Supreme Court's Approach to Promoting the Use of Technology in the Courtroom

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Justice Stephanie F. Stacy

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# Overview of Presentation

Nebraska Judicial Branch's standardization and expanded use of technology from the perspective of the:

- Appellate and Trial Courts
- Court Users

# How Technology Has Evolved

1. Development of personal computing devices and information processing
2. Networking stage – internet, mobile devices, and cloud storage
3. Rapid evolution of automation and the integration of how individuals work together with technology – Artificial Intelligence systems

# Eliminating Technology Silos

- Nebraska Judicial Branch (NSC, NCA, & AOCP)
- Executive Branch OCIO
- 93 Counties

# Nebraska Statutes

- Neb. Rev. Stat. § 24-515

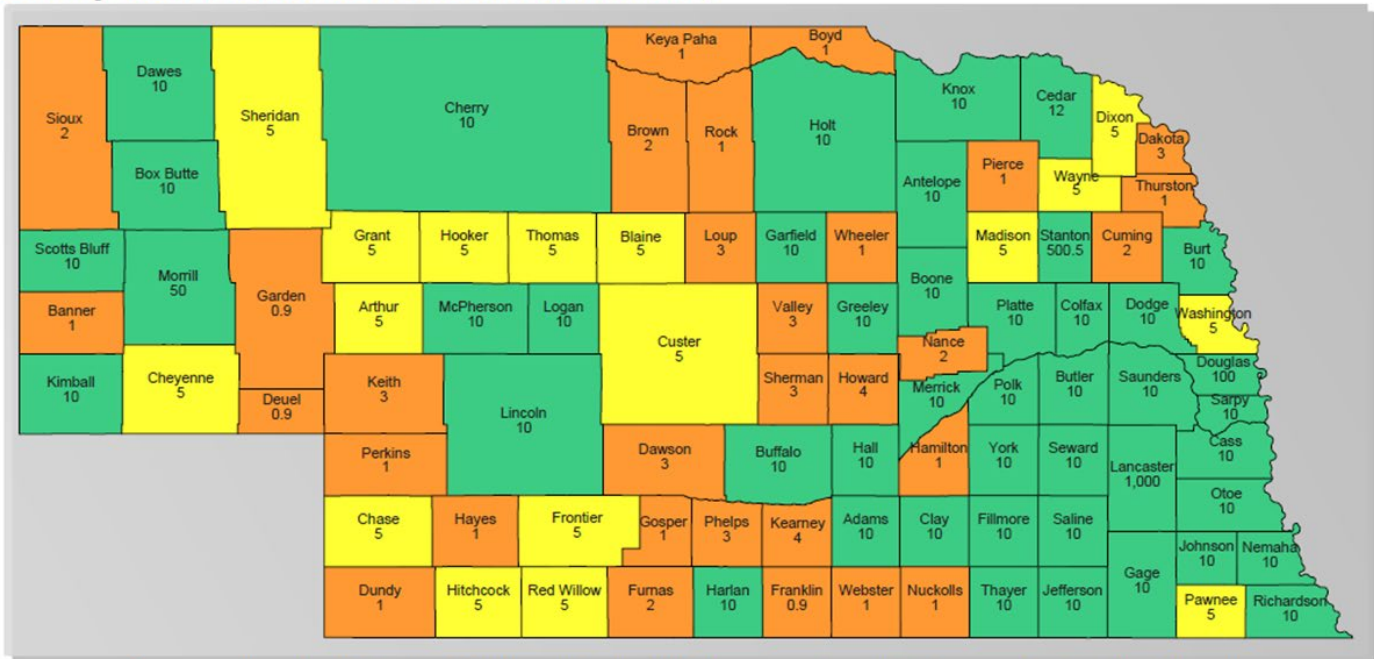
Each county shall be responsible for all costs involved in establishing, furnishing, and maintaining appropriate courtroom and office facilities for the county court at the county seat.

- Neb. Rev. Stat. § 23-120(1)

The county board shall . . . furnish, equip, . . . improve, or provide a suitable courthouse . . . . The board shall . . . provide suitable rooms and offices for the accommodation of the several courts of record . . . and shall provide suitable furniture and equipment therefor.

# County Courthouse Bandwidth 2018

## County Courthouses Current Bandwidth 2018

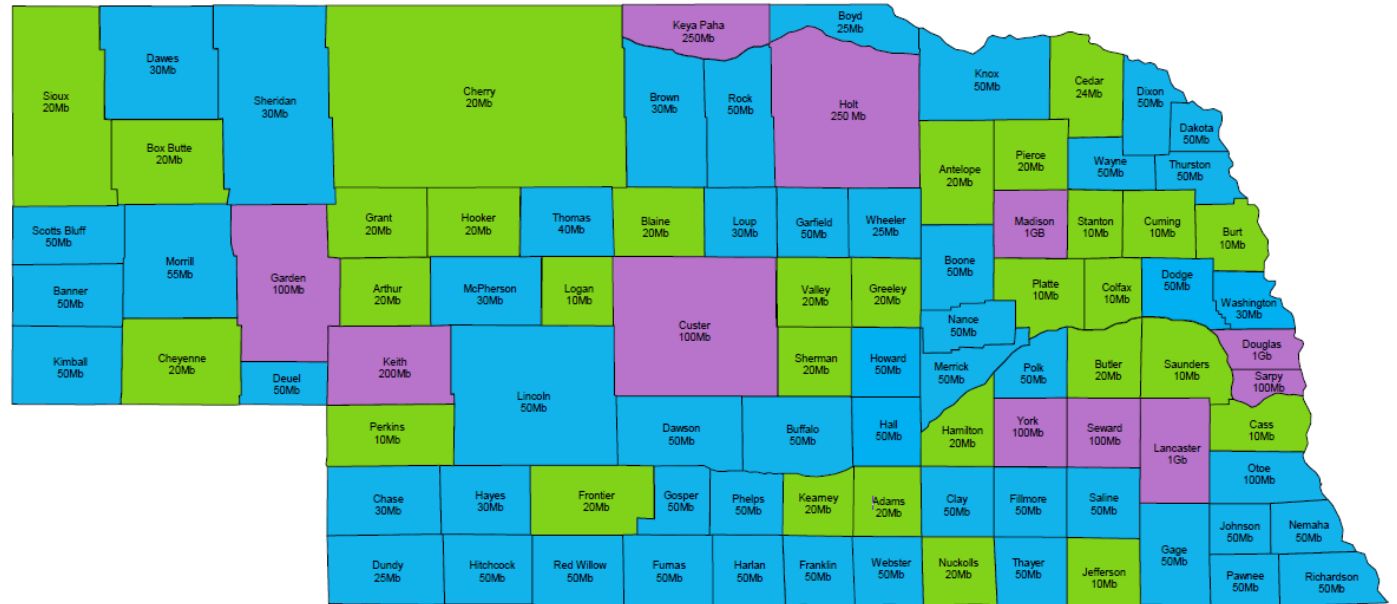


Orange = Bandwidth Limited, Yellow = Bandwidth Minimum Capacity, Green = Bandwidth Adequate



# County Courthouse Bandwidth 2025

County Courthouses Current Bandwidth 2025 Rev. 5/2025



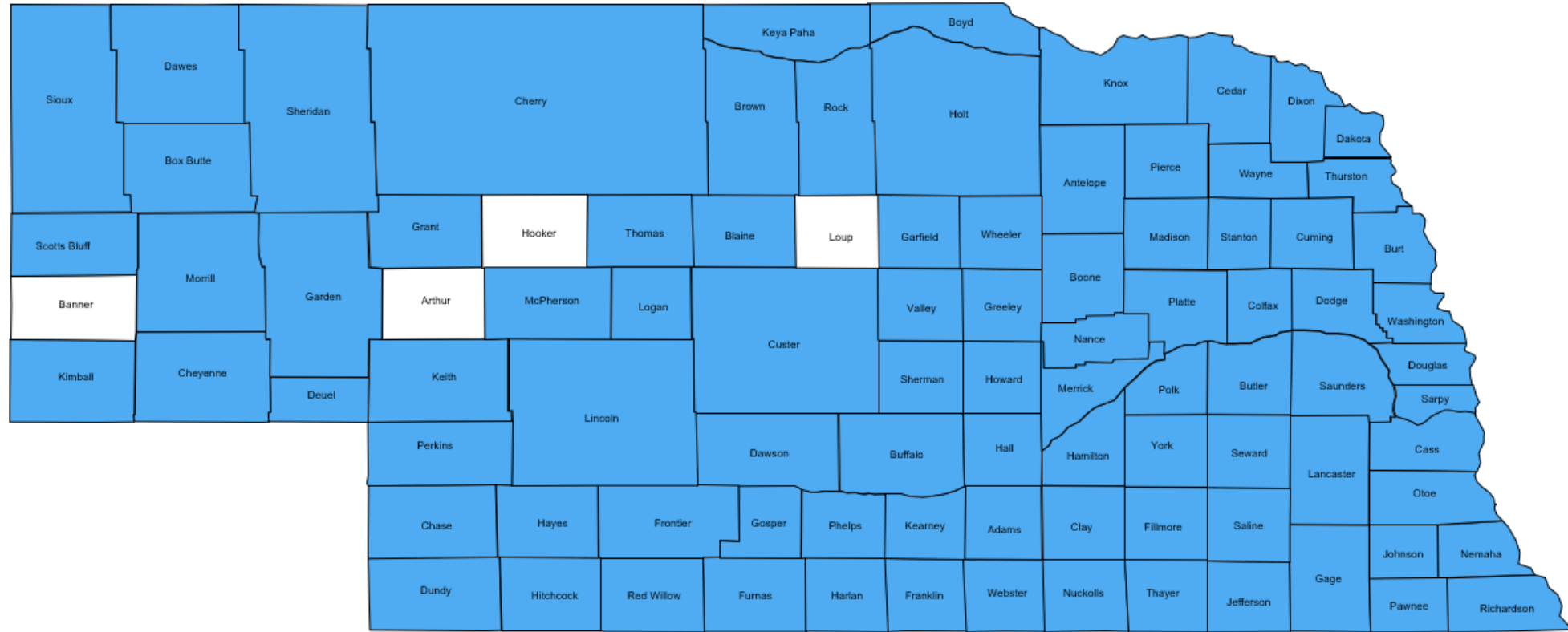
● Orange = Bandwidth Limited  
 ● Yellow = Bandwidth Minimum Capacity  
 ● Green = Bandwidth Adequate  
 ● Blue = 25Mb - 99Mb  
 ● Purple = 100Mb or greater

Revised 5/2025

# Post-Pandemic and Lessons Learned

- COVID-19 and Courts Response Committee
- Post-pandemic survey identified the need for uniformity/availability of technology in all courtrooms
- Courtroom Technology Project

# Courtroom Technology Project

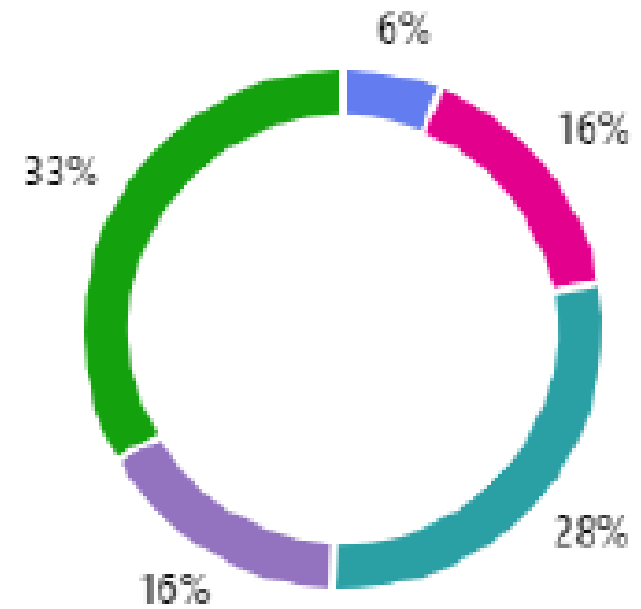


# Courtroom Technology Project

- Current Status
  - 202 district, separate juvenile, and county courtrooms
  - Maintenance phase
- Budget Breakdown
  - Courtroom Average Cost: \$62,587.11
  - Total Project Cost: \$13,640,071

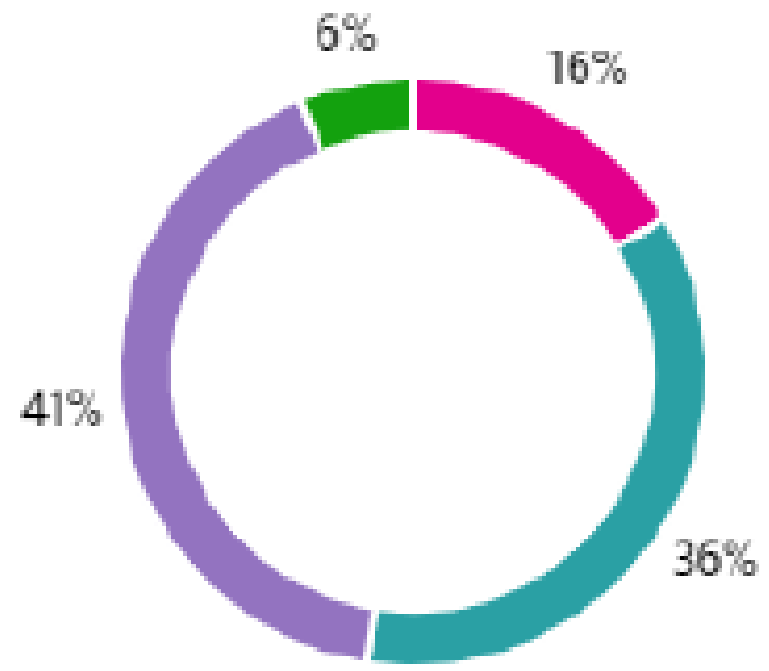
In May of 2025 to date, how many hearings have been conducted using remote technology in whole or part?

0	5
1-5	13
6-15	23
16-30	13
31 or more	27



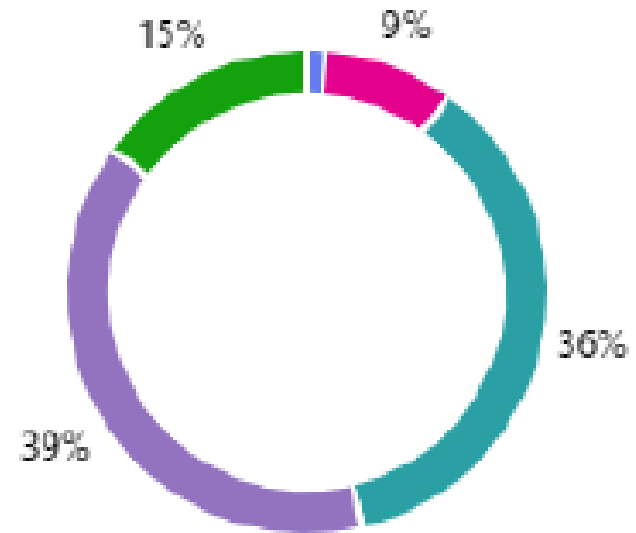
# How would you rate the performance of CTI courtroom technology in May 2025?

● awful	0
● poor	13
● adequate	29
● good	33
● excellent	5



In May 2025, is the performance of courtroom technology limiting the use of remote hearings?

● always limits	1
● frequently limits	7
● occasionally limits	29
● rarely limits	31
● never limits	12



# Where do we go from here?

- Nebraska Judicial Electronics Exhibits System (NJEES)
- JUSTICE 2.0

# Nebraska Judicial Electronics Exhibits System



NEBRASKA JUDICIAL BRANCH

Login

Email

Password

[Forgot Password?](#)

Version 1.1

PARTY NAME:	State of Nebraska
CASE NUMBER:	D99CR230000050
EXHIBIT NAME:	VNS Flyer(1)
PAGE COUNT:	1
FILE SIZE:	956.42 KB
EXHIBIT TYPE:	pdf
UPLOADED AT:	2024-06-12 15:01:20
PARTY ROLE DESC:	Plaintiff 1
ID:	D99CR230000050_c09314c7-b780-41ab-b502-d4964d08204a
EXHIBIT NUMBER:	5001
COURT TYPE:	District Court
COUNTY NAME:	harris
JUDGE NAME:	Richard Spethman
EXHIBIT ACCEPTED BY:	Sue Nieto

WNS Flyer(1) Prev Exhibit 1/4 Next Exhibit

## Protection Order Notification System

Once Your Protection Order is Granted, Register it to Get Notification Updates.

To register your Protection Order, you will need the court case # provided to you when the order was granted and the offender/respondent name as it appears on the order.

- Once Registered, You Will Be Notified When:
  - The respondent/offender is served
  - The order is 45 days away from expiring

Use the link or scan the QR code below to get started!

<https://protectionorders.nebraska.gov/>

NEBRASKA  
Good Life. Great Service.  
Exhibit Number: 5001

### Dashboard

Search Case

DISTRICT COURT HARRIS CRIMINAL 2023 50

Case Results

Case Id ↑↓	Caption ↑↓	Case Type ↑↓	Court Type ↑↓	County Name ↑↓	Case Year ↑↓
D99CR23-050	State v. Thomas M Jones	Criminal	District Court	Harris	2023

Case ID	Caption	Case Type	Court Type	County Name	Case Year
D99CR23-050	State v. Thomas M Jones	Criminal	District Court	Harris	2023

Case Files

Files and Folders

All Exhibits (8) Shared Exhibits (0) Offered (Ruling Pending Exhibits) (5) Ruled On Exhibits (3)

Document/Title ↑↓	Brief Description ↑↓	Owner/Party ↑↓	Uploaded By	Status ↑↓	Exhibit ↑↓	Actions	Decision
Amendments to S...	doc	Marcus A/Thoma...	Sue N	Not Received, public	00001	<input type="button" value="Select"/>	

### Admit Exhibit

Are you sure you want to receive Will be used for a photo of the physical gun used at trial ?

Select Tag

# JUSTICE 2.0

```
System: NSC1      Subsystem: QINTER      Display: QPADEV0009  
  
NEBRASKA AS/400 SYSTEM  
  
THIS IS A GOVERNMENT COMPUTER SYSTEM. UNAUTHORIZED ACCESS IS  
PROHIBITED. ANYONE USING THIS SYSTEM IS SUBJECT TO MONITORING.  
UNAUTHORIZED ACCESS OR ATTEMPTS TO USE, ALTER, DESTROY OR DAMAGE  
DATA, PROGRAMS OR EQUIPMENT COULD RESULT IN CRIMINAL PROSECUTION.  
  
User ID: _____ Password: _____
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# Using Technology to Improve Access for Court Users

*Nebraska Supreme Court's*

*Access to Justice  
Commission*



# Post-Pandemic Survey– Key Takeaways from Court Users

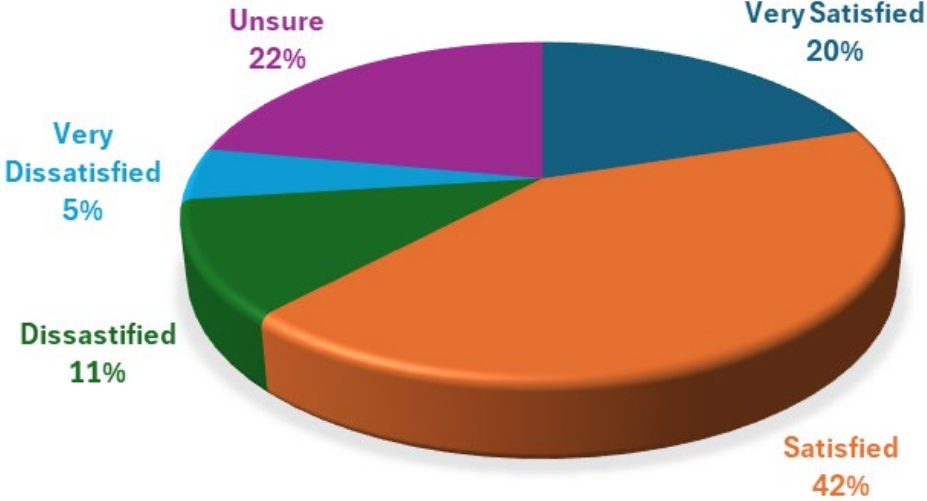
1. Differing opinions on when remote proceedings are appropriate
2. Desire for uniform rules or policies on remote proceedings
3. Need for technical support and education/training on using the remote technology

# Summary of the Post-Pandemic Survey

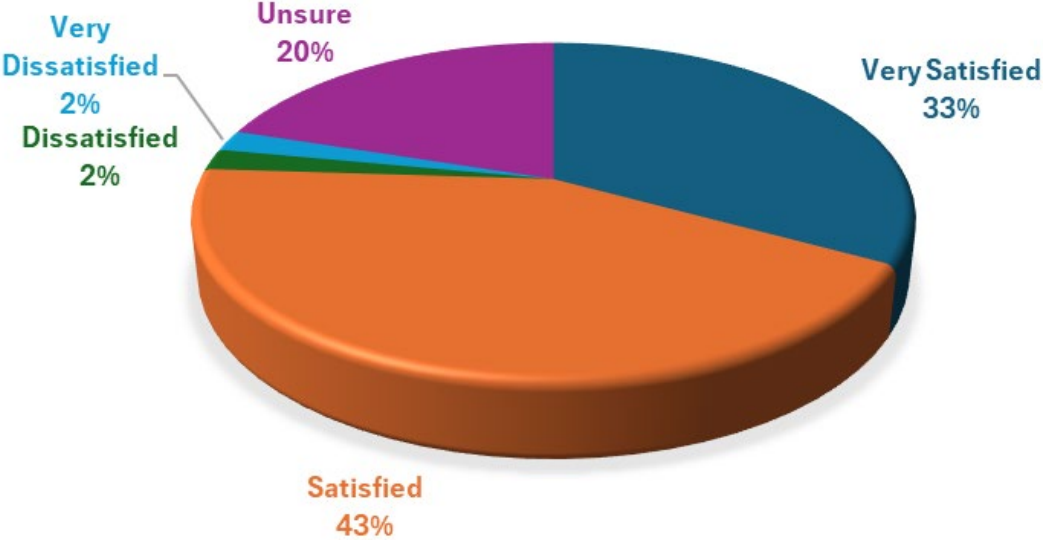
- December 2020
- Surveyed Attorneys, Clerks of the Courts, Judges, Chief Probation Officers, and Sheriffs
- Over 7300 surveyed/Received 760 responses

# How satisfied are you that the use of remote technology to conduct court proceedings provides parties with access to justice?

### ATTORNEYS

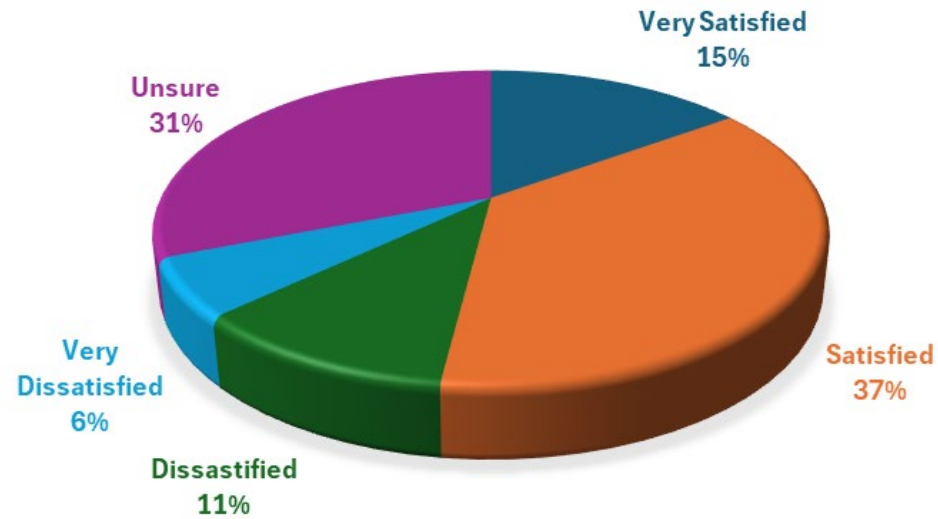


### JUDGES

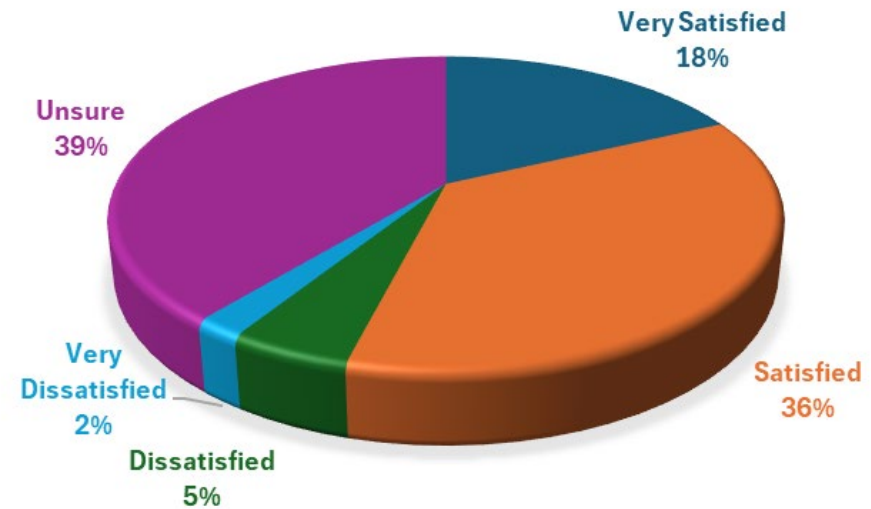


How satisfied are you that the use of remote technology to conduct court proceedings promotes public trust and confidence in the courts?

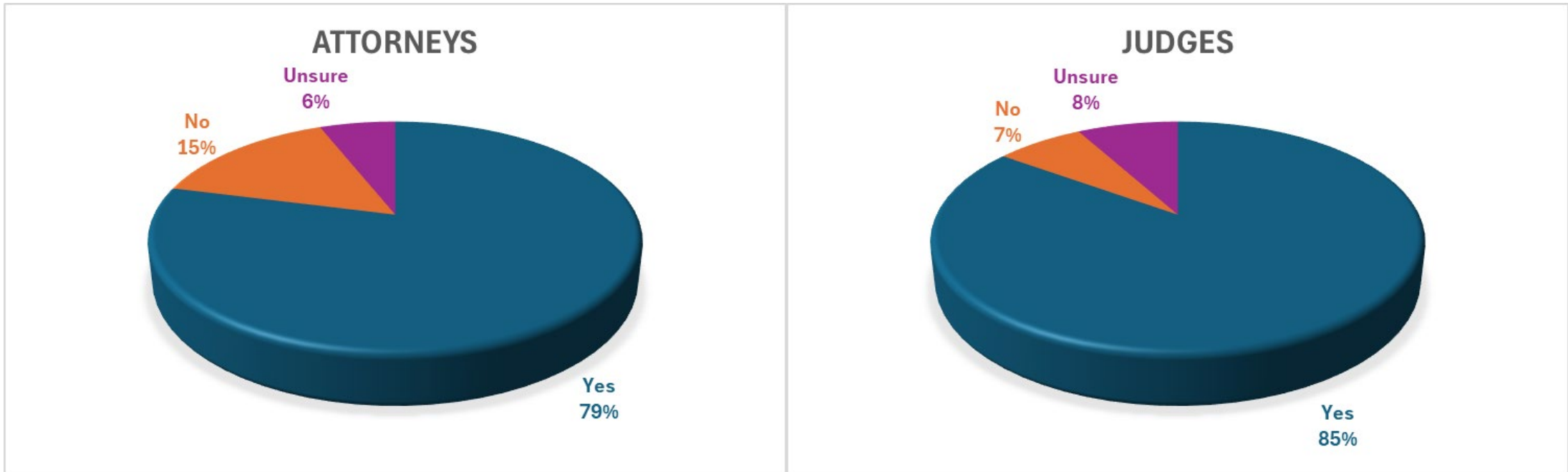
### ATTORNEYS



### JUDGES



Once the pandemic is over and it is once again safe to do business in person, do you think courts should continue to conduct some hearings using remote technology?



# What types of proceedings are suitable for the use of remote technology?

Proceeding	Attorney %	Judge %
Civil non-evidentiary proceedings (non-family law)	64%	82%
Non-evidentiary hearings (all types)	61%	78%
Arraignments	46%	78%
Family law non-evidentiary proceedings (e.g., divorce, dissolution, custody, etc.)	43%	69%
Criminal pretrials	42%	82%
Plea hearings	35%	82%
Civil evidentiary proceedings (non-family law)	29%	41%
Guardianship/conservatorship hearings	25%	33%
Appellate oral arguments	22%	43%
Traffic proceedings	22%	31%
Specialized docket status review hearings	21%	31%
Disposition hearings (juvenile)	21%	20%
Specialized docket treatment team meetings (i.e., problem-solving courts)	16%	41%
Sentencing	16%	65%
Adjudication hearings (juvenile)	15%	16%
Civil protection order hearings	14%	39%
Probation violations/revocation hearings	13%	45%
Evidentiary hearings (all types)	13%	24%
Family law evidentiary proceeding (e.g., divorce, dissolution, custody, etc.)	12%	37%
Child protection proceedings	12%	16%
Adoptions	11%	10%
Post-conviction proceedings	10%	43%
Delinquency proceedings	10%	16%
Civil trials	8%	27%
Criminal bench trials	3%	24%
Criminal jury trials	1%	0%
Other (please specify)	9%	4%

Which of the following do you believe are the most significant benefits of using remote technology to conduct court proceedings?

- Elimination of travel time and expenses for counsel and the parties
- Fewer attorney scheduling conflicts
- Elimination of client/party's transportation needs
- Increased use of time-certain scheduling at the courts
- Reduced failures to appear
- Remote setting less intimidating for client/party

# Remote Hearings/Videoconferencing – Uniformity and Consistency

- Meeting of the Presiding Judges (September 2021)
- Goal of the meeting was to build consensus within each judicial district on:
  - What court proceedings are appropriate for use of remote technology?
  - Will certain types of hearings always be held remotely in your district going forward?
  - Process for scheduling a remote hearing (e.g., initiating the remote hearing; communication to court users; pro se litigants; handling of exhibits)?
- Develop local rules or formal protocols to govern remote hearings/appearances

# Statutory Limitations on Video Hearings/Appearances

**Neb. Rev. Stat. § 24-303.** Authorizes videoconference hearings for any: 1) “non-evidentiary hearing”; and 2) evidentiary hearing if all parties stipulate. Prohibits videoconferencing for jury trials.

**Neb. Rev. Stat. § 24-734.** Authorizes videoconference hearings for any: 1) proceeding “not involving testimony of witnesses by oral examination”; 2) criminal case, with the consent of the parties, for testimony of “any witness”; and 3) civil cases, for good cause shown, unless objection is sustained.

**Neb. Rev. Stat. § 29-4201 – 29-4207.** Authorizes video appearances of criminal defendants for non-evidentiary hearings and establishes standards for such appearances.

# Technology – Education, Training, Technical Support

- Judges and Court/Probation Staff
- Other Court Users

# Using Courtroom Technology to Improve Access

- Livestreaming of Court Proceedings/Meetings
  - Dawson County District Court – YouTube Pilot
  - Lancaster County District Court
  - Judicial Resources Commission/Judicial Nominating Commissions
- Assistive Listening System
- Other Ways Trial Courts Are Using The Technology

# Dawson County District Court – YouTube Pilot

## Article 21: Interim Rules on Livestreaming Proceedings in Nebraska Trial Courts.

§ 6-2101. Purpose.

§ 6-2102. Authority.

§ 6-2103. Limitations.

§ 6-2104. Trial court procedure.

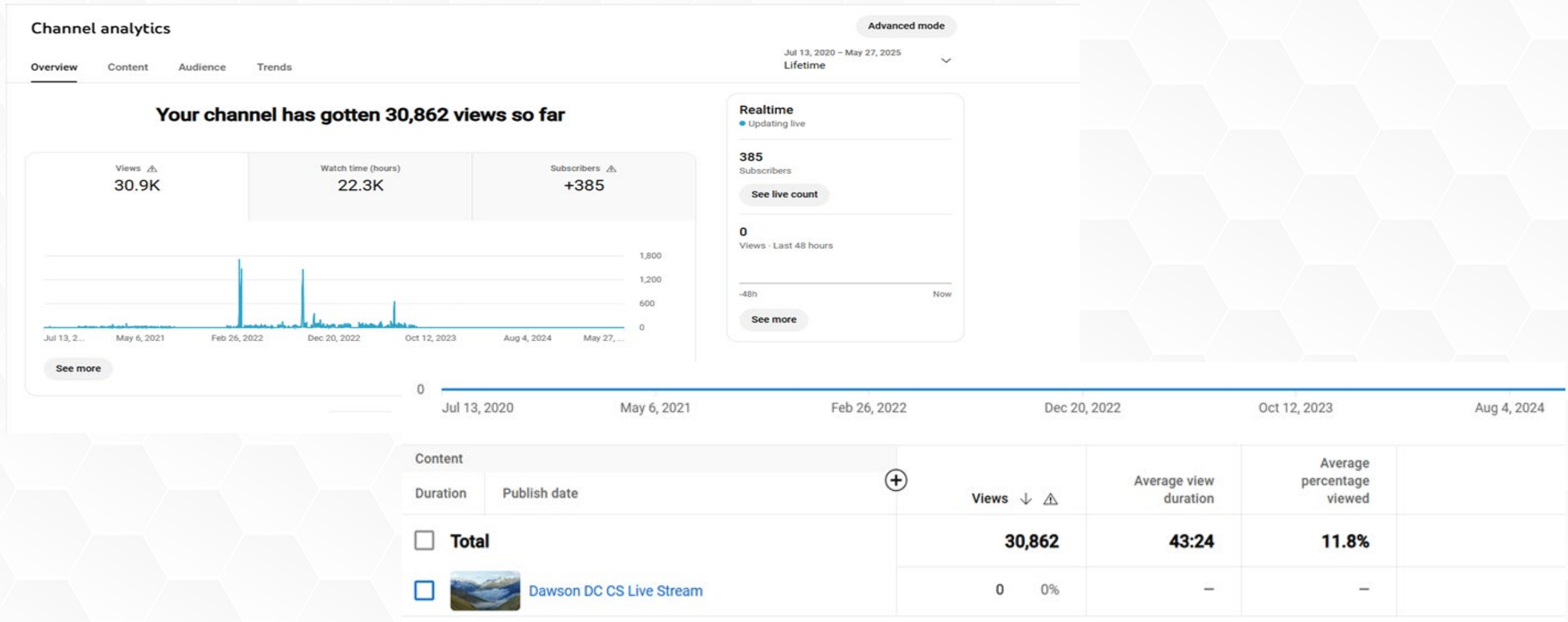
§ 6-2005. Technical.

Up



*Judge Frankie Moore and Judge James Doyle IV*

# Dawson County District Court – YouTube Pilot



# Dawson County District Court – YouTube Pilot

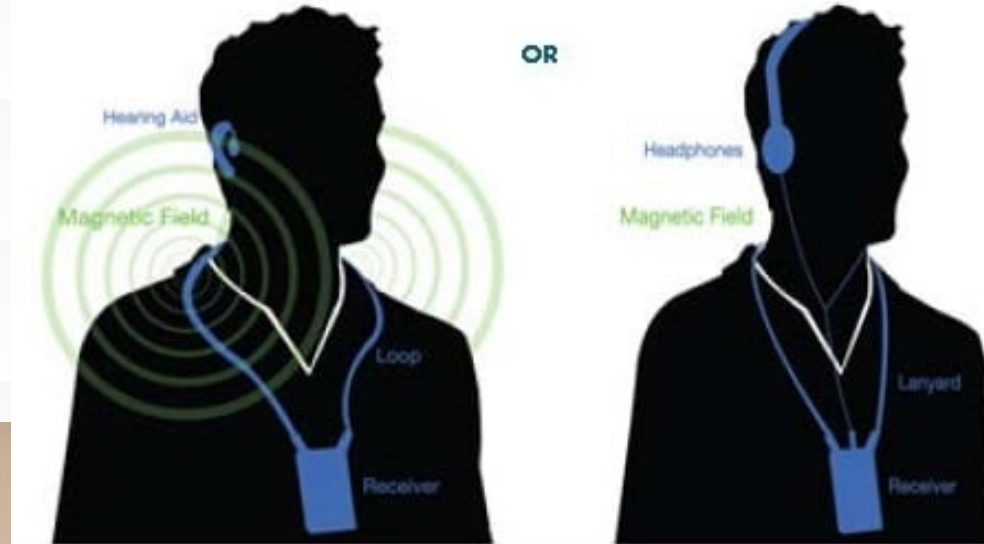
Subjective Observations by Judge Doyle:

1. Received no complaints with respect to the use of YouTube
2. Expedited post-hearing administrative duties by probation/court clerks
3. Attorneys used to help with Case Management and Learning Opportunity
4. Increased the access to media
5. Accessible to the public
6. Reinforces the need to maintain the proper demeanor by the Court

# Other Livestreaming of Courts/Meetings

- Lancaster County District Court
- Judicial Resources Commission
- Judicial Nominating Commissions

# Assistive Listening System



*Attorney Shaylene Smith*

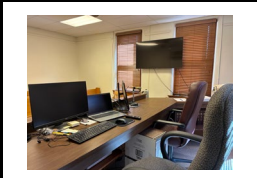


# Trial Courts

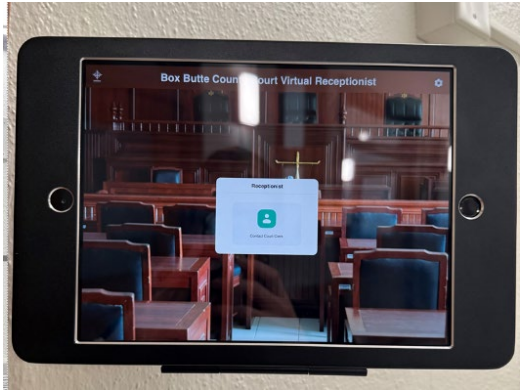
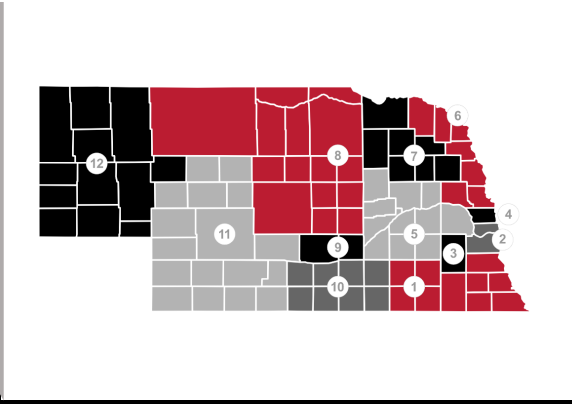
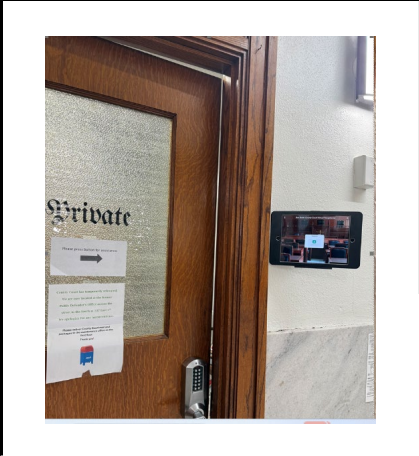

- Separate Juvenile Courts
- Judge Horacio Wheelock, District Court
- Problem Solving Courts
- Language Interpreters

# Innovators and Early Adopters





Scan for court appearance information, attorney contact information, and how to pay online



# Innovators and Early Adopters – 12<sup>th</sup> Judicial District

# Innovators and Early Adopters – Language Access



# Barriers to Adopting New Technology

Technological Proficiency

Technology Support

Technology Infrastructure

Security and Confidentiality Concerns

Resistance to Change

Quality Assurance



# Strategies for Overcoming Barriers to Using Technology

Targeted Training and Support

Pilot Programs and Feedback Loops

Policy Development

Fostering a Culture of Innovation

Voluntary Collaboration



*Judge Horacio Wheelock*

Thank You –  
&  
Facilitated Discussion