

BOARD OF COUNTY COMMISSIONERS
SARPY COUNTY, NEBRASKA
RESOLUTION FIXING COMPENSATION FOR TEMPORARY BAILIFFS

WHEREAS, pursuant to Neb. Rev. Stat. §23-104(6)(Reissue 2012), the County has the power to do all acts in relation to the concerns of the County necessary to the exercise of its corporate powers; and,

WHEREAS, pursuant to Neb. Rev. Stat. §23-103(Reissue 2012), the powers of the County as a body are exercised by the County Board; and,

WHEREAS, Section 24-350, R.R.S. 2012 provides that County Board shall fix the rate of compensation for temporary bailiffs; and

WHEREAS, the temporary bailiffs have not received an increase in compensation since January, 2010.

NOW, THEREFORE, BE IT RESOLVED BY THE SARPY COUNTY BOARD OF COMMISSIONERS, that temporary bailiffs shall be compensated at the rate of \$100 per day for their services.

The above Resolution was approved by a vote of the Sarpy County Board of Commissioners at a public meeting duly held in accordance with applicable law on the

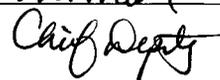
22nd day of July, 2014.


Sarpy County Board Chairman

Attest:

SEAL




County Clerk 

Sarpy County Board of Commissioners

1210 GOLDEN GATE DRIVE
PAPILLION, NE
593-4155
www.sarpy.com

ADMINISTRATOR Mark Wayne

DEPUTY ADMINISTRATOR Scott Bovick

FISCAL ADMIN./PURCHASING AGT. Brian Hanson



COMMISSIONERS

Don Kelly District 1

Jim Thompson District 2

Tom Richards District 3

Brenda Carlisle District 4

Jim Warren District 5

Memo

To: Sarpy County Board

From: Brian Hanson

Re: Bailiff Compensation

Judge Arterburn has requested that the compensation for the bailiffs that monitor juries during jury trials be increased from \$75 per day to \$100 per day. Section 24-350 provides that the compensation must be fixed by the County Board.

The total compensation paid for all temporary bailiffs averaged \$5,367 per year over the last three years. Douglas and Lancaster Counties do not use part-time bailiffs. In Douglas County, the jury rooms are next to the judges' chambers and the full-time bailiff monitors the jury. In Lancaster County, the jury rooms have a dedicated phone line that can be used only to contact the judge or bailiff and the full-time bailiffs monitor the juries.

The attached resolution will set the compensation of temporary bailiffs at \$100 per day as requested by Judge Arterburn if the Board chooses to do so. Judge Zastera plans to be present at the Board meeting to answer questions.

July 10, 2014

Brian E. Hanson

BEH:mg

cc: Mark Wayne
Scott Bovick
Mike Smith
Judge Arterburn
Debra J. Houghtaling
Karen Buche
Judge Zastera

David Arterburn

District Judge
1210 Golden Gate Drive
Papillion, NE 68046

Julie K. Krause, Bailiff
(402) 593-2265; FAX: (402) 593-4453

Denise Winters-Bickal, Court Reporter
(402) 593-2264

June 4, 2014

Mr. Brian Hanson
Fiscal Administrator
1210 Golden Gate Drive
Papillion, NE 68046

RE: Part-time bailiffs

Dear Mr. Hanson:

It has been brought to our attention that the part-time bailiffs we employ during jury trials have not received a raise in pay since January of 2010.

Effective July 1, 2014, the rate paid to the part-time bailiffs (currently Tess Ward, Lyn Erhart, and Ellie Meisinger) will be \$100.00 per day, a raise of \$25.00 per day. Though we cannot predict future outcomes in criminal cases, it appears that there will be sufficient money in the budget to cover this increase based on the current trend in jury trials, that being that a majority of them are resolved prior to trial.

This increase has been discussed with the Hon. Robert Wester, presiding judge of the County Court bench, and the payment for services rendered in County Court jury trials will be paid at the same rate as in District Court.

Thank you for your assistance in accomplishing this increase in their pay rate.

Sincerely,



David Arterburn,
Presiding District Judge

24-350. Bailiff; term; compensation.

The judge of the district court may, if the business of the court requires, appoint a bailiff or bailiffs. In counties having more than sixty thousand inhabitants, bailiffs shall be appointed and shall hold office for a term of one year unless sooner removed by the appointing judge. In counties having not more than sixty thousand inhabitants, the appointment shall continue only so long as is necessary. Bailiffs shall receive for their services either (a) an annual salary in an amount to be fixed by the county board, payable in monthly installments from the county general fund, or (b) a per diem in an amount to be fixed by the county board, payable monthly from the county general fund.

Source: R.S.1866, c. 19, § 32, p. 171; Laws 1895, c. 36, § 1, p. 165; Laws 1909, c. 59, § 1, p. 289; R.S.1913, § 2431; Laws 1919, c. 12, § 1, p. 72; C.S.1922, § 2371; Laws 1927, c. 119, § 1, p. 332; C.S.1929, § 33-110; Laws 1943, c. 90, § 17, p. 304; R.S.1943, § 33-107; Laws 1945, c. 73, § 1, p. 275; Laws 1959, c. 141, § 1, p. 548; Laws 1961, c. 158, § 1, p. 481; Laws 1969, c. 269, § 1, p. 1033; Laws 1975, LB 277, § 1; R.S.1943, (1988), § 33-107; Laws 1989, LB 4, § 4.

Cross References

For other provisions for salaries of county officers and employees, see sections 23-1114 to 23-1114.09.

Annotations

This section, as it existed in 1911, did not authorize the appointment of special bailiffs to take charge of witnesses for the state in pending criminal prosecutions. *Shaw v. Holt County*, 88 Neb. 348, 129 N.W. 552 (1911).