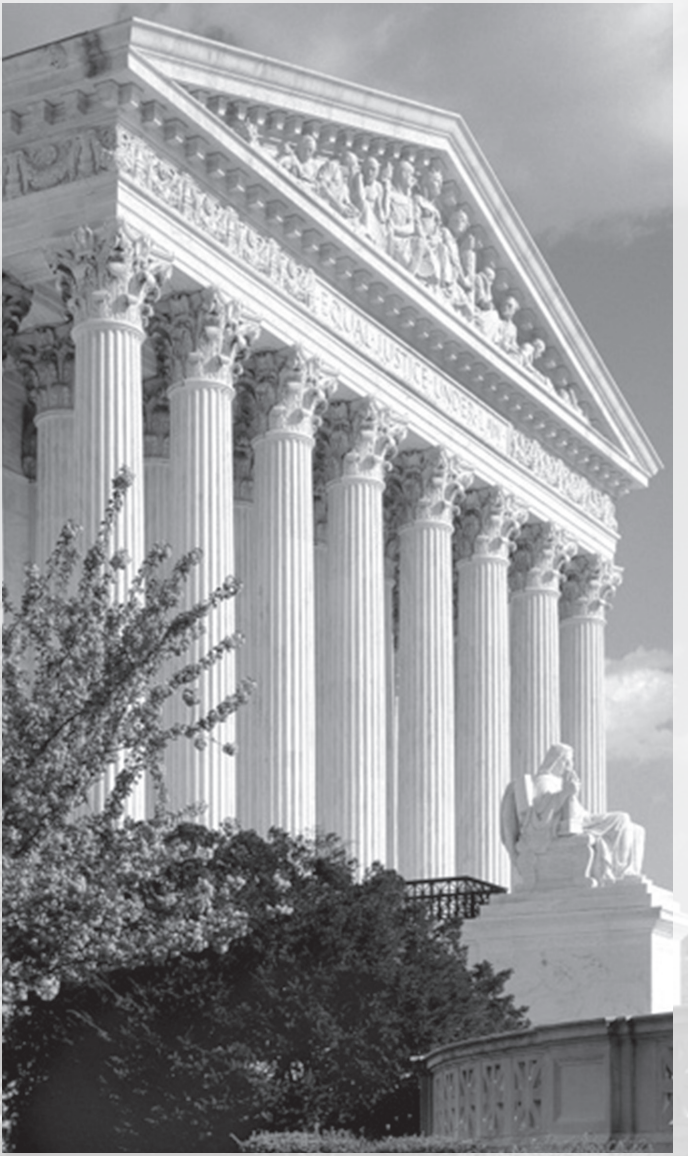


U.S. Judicial Branch

U.S. Judicial Branch[1]

U.S. Supreme Court

U.S. Supreme Court Building: 1 First St. N.E., Washington, D.C. 20543, phone (202) 479-3000, website — www.supremecourtus.gov

Chief Justice of the United States: John G. Roberts, Jr.

Article III, Section 1 of the U.S. Constitution provides that "the judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish."

The Supreme Court is composed of the chief justice of the United States and such number of associate justices as may be fixed by Congress. The current number of associate justices is eight. The U.S. president nominates justices, and appointments are made with the advice and consent of the Senate. Article III, Section 1, further provides that "the Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behaviour, and shall, at stated Times, receive for their Services, a Compensation, which shall not be diminished during their Continuance in Office." A justice may retire at age 70 after serving for 10 years as a federal judge or at age 65 after serving 15 years.

The term of the court begins, by law, the first Monday in October of each year and continues as long as the business before the court requires, usually until the end of June. Six members constitute a quorum. Approximately 10,000 cases are filed with the court in the course of a term. The court hears oral argument in approximately 75 to 80 cases per term.

According to the Constitution (Article III, Section 2), the Supreme Court has jurisdiction over:

- all cases in law and equity arising under the U.S. Constitution, the laws of the United States and treaties made under their authority
- all cases affecting ambassadors, other public ministers and consuls
- all cases of admiralty and maritime jurisdiction
- controversies to which the United States is a party
- controversies between two or more states, between a state and citizens of another state, between citizens of different states, between citizens of the same state claiming lands under grants of different states, and between a state, or the citizens thereof, and foreign states, citizens or subjects

In all cases affecting ambassadors, other public ministers and consuls, and those in which a state is a party, the Supreme Court has original jurisdiction. In all the other cases mentioned above, the Supreme Court has appellate jurisdiction, with exceptions made by Congress. Congress has no authority to change the original jurisdiction of the Supreme Court.

[1]Sources: *The United States Government Manual 2015-16* and information provided by the 8th U.S. Circuit Court of Appeals, the U.S. District Court for the District of Nebraska and the Federal Public Defender's Office for the District of Nebraska.

Supreme Court Justice	Position
Samuel A. Alito, Jr.	Associate Justice
Stephen G. Breyer	Associate Justice
Ruth Bader Ginsburg	Associate Justice
Elena Kagan	Associate Justice
Anthony M. Kennedy	Associate Justice
Sonia M. Sotomayor	Associate Justice
Clarence Thomas	Associate Justice
John G. Roberts, Jr.	Chief Justice

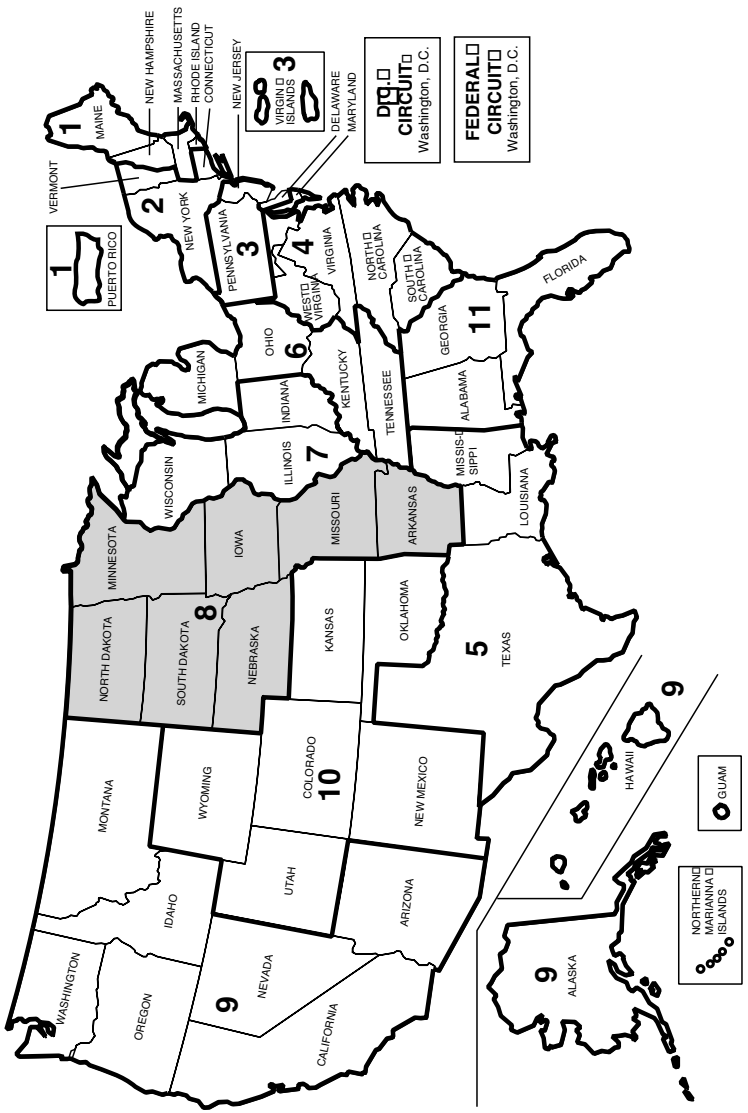
Courts of Appeals

The courts of appeals are intermediate appellate courts created to relieve the Supreme Court of considering all appeals in cases originally decided by the federal trial courts. Appeal courts are empowered to review all final decisions and certain provisional decisions of district courts. Appeal courts also are empowered to review and enforce orders of many federal administrative bodies. The decisions of courts of appeals are final, except that they may receive discretionary review or be appealed to the Supreme Court.

The United States is divided into 12 judicial circuits, including the District of Columbia. Each circuit has a court of appeals. Each state is assigned to a circuit, and the U.S. territories are assigned variously to the first, third and ninth circuits. A court of appeals for the Federal Circuit, which has nationwide jurisdiction defined by subject matter, also exists. Each court of appeals has six to 28 permanent circuit judgeships (179 in all), depending upon the amount of judicial work in the circuit. Circuit judges hold their offices during good behavior.

The judge senior in commission who is younger than 70 years old (65 at inception of term), has been in office at least one year, and has not previously been chief judge, serves as the chief judge of the circuit for a seven-year term. One Supreme Court justice is assigned as circuit justice for each of the 13 judicial circuits. Each court of appeals normally hears cases in panels of three judges each, but the court may sit with all judges present.

U.S. Circuit Courts of Appeals[2]



[2]Source: Administrative Office of the U.S. Courts. Number and composition of circuits set forth by 28 U.S.C. Section 41.

8th U.S. Circuit Court of Appeals

Main Circuit Court Office: Thomas F. Eagleton U.S. Courthouse, 111 S. 10th St., Suite 24.329, St. Louis, MO 63102, phone (314) 244-2400, website — www.ca8.uscourts.gov

Subsidiary Circuit Court Office: 500 Federal Courts Building, 316 N. Robert St., St. Paul, MN 55101, phone (651) 848-1300

Circuit Justice: Supreme Court Justice Samuel A. Alito, Jr.

Chief Judge: William J. Riley

Arkansas, Iowa, Minnesota, Missouri, Nebraska, North Dakota and South Dakota comprise the 8th Circuit Court of Appeals. Nebraska is represented on the court by one circuit judge and two senior judges. Senior judges are circuit judges who assume a smaller caseload than the active circuit judges.

The main court clerk's office is in St. Louis, and a subsidiary court clerk's office is in St. Paul, Minn. The court has one general term annually, which begins the second Monday in September.

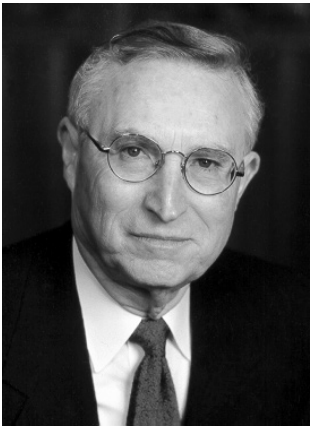
8th Circuit Judge	Office Location	Position
Morris S. Arnold	Little Rock, Ark.	Senior Circuit Judge
C. Arlen Beam	Lincoln	Senior Circuit Judge
Duane Benton	Kansas City, Mo.	Circuit Judge
Pasco M. Bowman II	Kansas City, Mo.	Senior Circuit Judge
Steven M. Colloton	Des Moines, Iowa	Circuit Judge
Raymond W. Gruender	St. Louis, Mo.	Circuit Judge
Jane Kelly	Cedar Rapids, Iowa	Circuit Judge
James B. Loken	Minneapolis, Minn.	Circuit Judge
Michael J. Melloy	Cedar Rapids, Iowa	Senior Circuit Judge
Diana E. Murphy	Minneapolis, Minn.	Circuit Judge
William Jay Riley	Omaha	Chief Circuit Judge
Bobby E. Shepherd	El Dorado, Ark.	Circuit Judge
Lavenski R. Smith	Little Rock, Ark.	Circuit Judge
Roger L. Wollman	Sioux Falls, S.D.	Circuit Judge

8th U.S. Circuit Court of Appeals
Nebraska Judges, 1933-2017

Joseph W. Woodrough	1933-1961
Harvey M. Johnsen	1940-1965
Donald P. Lay[3]	1966-1983
Donald R. Ross[4]	1971-2003
C. Arlen Beam[5]	1987-
William Jay Riley	2001-

[3] Moved from Nebraska to Minnesota in January 1983
[4] Senior Judge, 1987-2003
[5] Senior Judge, 2001-present

8th U.S. Circuit Court of Appeals Nebraska Judges, 2017



C. Arlen Beam — Senior Judge

Office Address: 435 Denney Federal Building, 100 Centennial Mall North, Lincoln, NE 68508, phone (402) 437-1600

Appointed to 8th U.S. Circuit Court of Appeals: Nov. 9, 1987; assumed senior judge status Feb. 1, 2001

Biography: Born Jan. 14, 1930, in Stapleton. Graduate of University of Nebraska (B.S.), 1951; (J.D.), 1965. Married Betty Fletcher, July 22, 1951; five children: Randal, James, Thomas, Bradley and Gregory. Military service: captain in U.S. Army. Former: appointed to U.S. District Court-District of Nebraska, Nov. 18, 1981 (chief judge 1986-87); practiced with law firms of Knudsen, Berkheimer, Beam, Richardson and Endacott, 1979-82; Knudsen, Berkheimer, Endacott & Beam, 1971-79; Chambers, Holland, Dudgeon & Beam, 1968-71; Chambers, Holland & Dudgeon, 1965-68. **Member:** Nebraska State Bar Association (admitted in 1965); Omaha Bar Association; Lincoln Bar Association; commissioner for National Conference of Commissioners on Uniform State Laws. Author of *Chief Judge Harvey M. Johnsen — A Prophet with Honor* and articles to legal periodicals.

William Jay Riley — Circuit Judge

Office Address: Roman L. Hruska U.S. Courthouse, 111 S. 18th Plaza, Suite 4303, Omaha, NE 68102-1322, phone (402) 661-7575

Appointed to 8th U.S. Circuit Court of Appeals: August 3, 2001; became chief judge April 1, 2010

Biography: Born March 11, 1947, in Lincoln. Graduate of University of Nebraska-Lincoln (B.A., Phi Beta Kappa), 1969; University of Nebraska College of Law (J.D. with distinction and Order of the Coif), 1972. Married Norma Mason Riley, Dec. 27, 1965; three children: Brian J. Riley, Kevin J. Riley and Erin J. Riley Hoffman. Adjunct professor of trial advocacy, University of Nebraska - Lincoln College of Law, 2006-present. Former: adjunct professor of trial practice, Creighton Law School, 1991-2009; principal, Fitzgerald, Schorr, Barmettler and Brennan, P.C., L.L.O., 1973-2001. **Member:** Executive Committee, Judicial Conference of the United States; long range planning coordinator, federal judiciary, 2013 to present; president's council and board of trustees, Mid-America Council, Boy Scouts of America (juvenile diversion leader, 1997; scoutmaster, Troop 444, 1979-89); fellow, American College of Trial Lawyers (former Nebraska chair); associate, American Board of Trial Advocates (former state president); board certified civil trial specialist, National Board of Trial Advocacy; Nebraska State Bar Association (delegate to House of Delegates, 1998-2013; chair of ethics committee, 1996-98); Omaha Bar Association (former president and executive council member); current counselor and former master, Robert M. Spire American Inns of Court. **Former member:** Criminal Law Committee, Judicial Conference of the United States, 2005-2011.

District Courts

U.S. district courts are the trial courts of general federal jurisdiction. Each state has at least one district court, and the larger states have as many as four. Altogether there are 94 U.S. district courts.

Each district court has two to 28 federal district judgeships, depending upon the amount of judicial work within its territory. Usually, only one judge is required to hear and decide a case in a district court, but in some cases it is required that three judges comprise the court. The judge senior in commission who is younger than 70 years old (65 at inception of term), has been in office for at least one year, and has not previously been chief judge, serves as chief judge for a seven-year term.

District judges hold their offices during good behavior. Each district court has one or more magistrate judges and bankruptcy judges, a clerk, a U.S. attorney, a U.S. marshal, probation officers, court reporters and their staffs.[6]

Cases from the district courts are reviewable on appeal by the applicable court of appeals.

U.S. District Court — District of Nebraska

Main District Court Office: Roman L. Hruska U.S. Courthouse, 111 S. 18th Plaza, Omaha, NE 68102-1303, phone (402) 661-7350, website — www.ned.uscourts.gov

Divisional District Court Office: 593 Denney Federal Building, 100 Centennial Mall North, Lincoln, NE 68508, phone (402) 437-1900

Chief Judge: Laurie Smith Camp

Clerk of the District Court: Denise M. Lucks

Main Bankruptcy Court Office: Roman L. Hruska U.S. Courthouse, 111 S. 18th Plaza, Omaha, NE 68102-1303, phone (402) 661-7444

Divisional Bankruptcy Court Office: 460 Denney Federal Building, 100 Centennial Mall North, Lincoln, NE 68508, phone (402) 437-1625

Clerk of the Bankruptcy Court: Diane L. Zech

Pretrial Services: Roman L. Hruska U.S. Courthouse, 111 S. 18th Plaza, Omaha, NE 68102-1303, phone (402) 661-7560; 546 Denney Federal Building, 100 Centennial Mall North, Lincoln, NE 68508, phone (402) 437-1680

Chief Pretrial Services Officer: Timothy G. Connor

Probation: Roman L. Hruska U.S. Courthouse, 111 S. 18th Plaza, Omaha, NE 68102-1303, phone (402) 661-7555; 530 Denney Federal Building, 100 Centennial Mall North, Lincoln, NE 68508, phone (402) 437-1920

Chief Probation Officer: Mary Lee Ranheim

Nebraska constitutes a single district in the U.S. district court system. The state is served by three district judges, three senior district judges, three magistrate judges and two bankruptcy judges.

[6] See Pages 154-155 for more details on U.S. attorneys and Pages 157-158 for more details on U.S. marshals.

District Judge	Office Location	Position
Laurie Smith Camp	Omaha	Chief Judge
John M. Gerrard	Lincoln	District Judge

Senior District Judge	Office Location	Position
Joseph F. Bataillon	Omaha	Senior District Judge
Richard G. Kopf	Lincoln	Senior District Judge
Lyle E. Strom	Omaha	Senior District Judge

Magistrate Judge	Office Location	Position
F.A. Gossett III	Omaha	Magistrate Judge
Thomas D. Thalken	Omaha	Magistrate Judge
Cheryl R. Zwart	Lincoln	Magistrate Judge

Bankruptcy Judge	Office Location	Position
Timothy J. Mahoney	Omaha	Bankruptcy Judge
Thomas L. Saladino	Lincoln	Chief Bankruptcy Judge

U.S. District Court — District of Nebraska
Nebraska Judges, 1868-2017

Elmer S. Dundy	1868-1896
William D. McHugh	1896-1897
William H. Munger	1897-1915
Thomas C. Munger	1907-1941
Joseph W. Woodrough	1916-1933
James A. Donohoe	1933-1956
John W. Delehant[7]	1942-1972
Richard E. Robinson[8]	1956-1991
Robert Van Pelt[9]	1957-1970
Richard A. Dier	1971-1972
Richard V. Denney	1971-1981
Albert G. Schatz	1973-1985
C. Arlen Beam	1982-1987
William G. Cambridge	1988-2000
Warren K. Urbom[10]	1970-2014
Lyle E. Strom[11]	1985-
Richard G. Kopf[13]	1992-
Thomas M. Shanahan[12]	1993-2007
Joseph F. Bataillon	1997-
Laurie Smith Camp	2001-
John M. Gerrard	2012-

[7] Senior judge until death in 1972.
[8] Senior judge, 1972-91.
[9] Retired from the bench in 1970, but assumed senior judge status until death in 1988.
[10] Senior judge, 1991-2014; retired in 2014.
[11] Senior judge, 1995-present.
[12] Senior judge, 2004-07; retired in 2007.
[13] Senior judge, 2011-present.

U.S. District Court — District of Nebraska
Nebraska Judges, 2017

Joseph F. Bataillon — Senior Judge

Office Address: Roman L. Hruska U.S. Courthouse, 111 S. 18th Plaza, Suite 3259, Omaha, NE 68102-1322, phone (402) 661-7302, email address — bataillon@ned.uscourts.gov

Appointed as U.S. District Judge: Sept. 18, 1997; served as chief judge for the District of Nebraska, 2004-11

Biography: Born 1949, in Omaha. Graduate of Creighton University (B.A. in political science), 1971; Creighton University (J.D.), 1974. Married Pamela, 1971; five children. Military service: 403rd Military Police POW Camp, Enclosure Commander, U.S. Army Reserve, 1976-78; 119 Judge Advocate General Det. Defense Counsel, U.S. Army Reserve, 1978-86. Former: trial attorney, Sodoro, Daly and Sodoro, Omaha, 1980-97; deputy Douglas County public defender, 1974-80; Nebraska Democratic Party state chairman, 1993-95. **Member:** Judicial Conference of the U.S. Budget Committee, Economic Subcommittee; Federal Judges Association; Nebraska State Bar Association (House of Delegates and president); Omaha State Bar Association; Federal Bar Association; American Bar Association. **Former member:** chairman, Judicial Conference of the U.S. Committee on Space and Facilities, 2006-09; Budget and Finance Advisory Committee, Administrative Office of the Courts, 2001-05; District CM/ECF working group for the Administrative Office of the Courts, 2001-05.

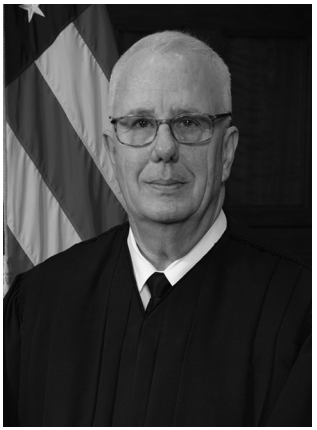
Laurie Smith Camp — Chief Judge

Office Address: Roman L. Hruska U.S. Courthouse, 111 S. 18th Plaza, Suite 3210, Omaha, NE 68102-1322, phone (402) 661-7323

Appointed as U.S. District Judge: Nov. 2, 2001; became chief judge for the District of Nebraska, Dec. 1, 2011

Biography: Born Nov. 28, 1953, in Omaha. Graduate of Stanford University (B.A.), 1974; University of Nebraska-Lincoln (J.D.), 1977. Two children: Jonathan and Abby. Former: Nebraska Deputy Attorney General for Criminal Matters, 1995-2001; real estate development, Lincoln Haymarket District, 1982-2000; chief, Civil Rights Section, Office of Nebraska Attorney General, 1991-95; general counsel, Nebraska Department of Correctional Services, 1980-91; private practice in Nebraska and Kansas, 1977-80. **Former member:** director, Omaha Rotary Club; Judicial Conference of the U.S. Committee on Financial Disclosure; chairwoman, Nebraska Federal Practice Committee; president, Robert Van Pelt American Inn of Court; president, Robert M. Spire American Inn of Court; director, Nebraska County Attorneys Association; director, Nebraska Coalition for Victims of Crime; president, Abendmusik, classical music series; director, Nebraska Conference of United Church of Christ; president, Nebraska Correctional Association; director, Willa Cather Foundation; community board member, Nebraska Shakespeare Festival; Nebraska State Bar Association, committees on corrections, legislation, professionalism and minorities and justice. **Honors and awards:** Lifetime Fellow, Nebraska Bar Foundation; University of Nebraska - Lincoln, College of Law, Distinguished Alumni Award, 2006; Outstanding Contributor to Women in Law Award, NSBA Women and the Law Section, 2005; Warren K. Urbom Mentor Award, Robert Van Pelt American Inn of Court, 2004; Nebraska Law Enforcement Coordinating Committee Top Award, 2001; Nebraska State Manager of the Year, 1994; editor-in-chief, Nebraska Law Review, 1976-77.

U.S. District Court — District of Nebraska
Nebraska Judges, 2017 (Cont'd.)



Richard G. Kopf — Senior Judge

Office Address: 561A Denney Federal Building, 100 Centennial Mall North, Lincoln, NE 68508-3803, phone (402) 437-1640

Appointed as U.S. District Judge: May 26, 1992; served as chief judge for the District of Nebraska, 1999-2004; assumed senior judge status Dec. 1, 2011

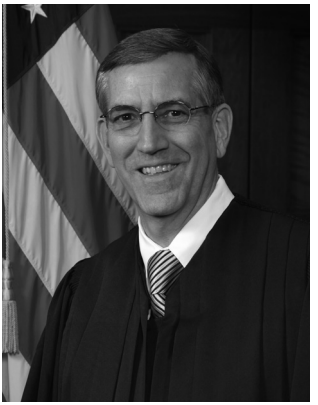
Biography: Born Dec. 1, 1946, in Toledo, Ohio. Graduate of Kearney State College, 1969; University of Nebraska College of Law (with distinction and Order of the Coif), 1972. Married Verdella Blank Kopf (deceased Dec. 26, 1986); three children: Marne C. Byrd, Lisa Sedlacek and Keller Kopf. Married Joan Stofferson, April 30, 1992. Former: appointed full-time U.S. magistrate, 1987; private law practice, Cook, Kopf and Doyle, Lexington, 1974-86; served as counsel for the state of Nebraska in regard to the impeachment of the Nebraska attorney general, 1984; law clerk to Donald R. Ross, U.S. Circuit Judge, 1972-74. **Honors and awards:** elected Fellow of the Nebraska Bar Foundation, 1989.

John M. Gerrard — Judge

Office Address: 586 Denney Federal Building, 100 Centennial Mall North, Lincoln, NE 68508-3803, phone (402) 437-1660

Appointed as U.S. District Judge: Feb. 6, 2012

Biography: Born Nov. 2, 1953, in Schuyler. Graduate of Nebraska Wesleyan University (B.S.), 1975; University of Arizona (M.P.A.), 1977; University of the Pacific, McGeorge School of Law (J.D.), 1981. Married Nancy Fickenscher, March 11, 1977; four children: Erin, Michaela, Eric and Mitchell. Admitted to Nebraska State Bar Association, U.S. District Court for the District of Nebraska and 8th U.S. Circuit Court of Appeals, 1981. Former: private practice attorney, Norfolk, 1981-95. **Member:** Nebraska State Bar Association; American Bar Association; Board Certified (Civil), National Board of Trial Advocacy; American Board of Trial Advocates.



U.S. District Court — District of Nebraska
Nebraska Judges, 2017 (Cont'd.)

Lyle E. Strom — Senior Judge

Office Address: Roman L. Hruska U.S. Courthouse, 111 S. 18th Plaza, Suite 3190, Omaha, NE 68102-1322, phone (402) 661-7320

Appointed as U.S. District Judge: Nov. 1, 1985; served as chief judge for the District of Nebraska, 1987-94; assumed senior judge status Nov. 2, 1995

Biography: Born Jan. 6, 1925, in Omaha. Graduate of Creighton University (B.A.), 1950; Creighton University School of Law (J.D.), 1953. Married July 31, 1950; wife Regina Kelly, deceased; seven children: Mary Bess Hawkins, Amy C., Susan (deceased), Cassie, Margaret, David and Bryan. Admitted to practice in Nebraska State Courts, 1953; 8th U.S. Circuit Court of Appeals, 1955; U.S. Supreme Court, 1970; 10th U.S. Circuit Court of Appeals, 1974. Director of Robert Spire Intern Program, 1995-present. Former: instructor at Creighton University School of Law, 1958-70 and 1974-95. **Member:** American College of Trial Lawyers (fellow); International Academy of Trial Lawyers (fellow); Nebraska State Bar Association (admitted 1953; president, 1989-90; executive council, 1981-87; Committee on Inquiry for 4th Judicial District, 1970-85; House of Delegates, 1977-81); Omaha Bar Association (president, 1980-81; Memorials Committee, 1976-85; chairman, Committee on Supreme Court Redistricting, 1974-80); Defense Research Institute; Omaha Rotary Club (president, 1993-94; board of directors, 1988-91); Alpha Sigma Nu (Jesuit honorary fraternity); Archbishop's Committee for Educational Development (chairman, 1983-84); Mid-America Council, Boy Scouts of America (chairman, executive committee, Juvenile Diversion Program, 1990-present; board of trustees, executive committee). Former member: Committee on Practice and Procedure, co-chairman, Federal Practice Committee, U.S. District Court-District of Nebraska; Nebraska Supreme Court; 8th Circuit Judicial Conference Committee on Study Restructuring of the Judicial Conference; 8th Circuit Court of Appeals Gender Fairness Task Force, 1993-97; Committee on Rules and Procedure, American Bar Association, 1977-85; Provisional Remedies Subcommittee, Supreme Court Committee on Practice and Procedure, 1978-82; president, Midwestern Association of Amateur Athletics Union, 1976-78. Honors and awards: Omaha Bar Association Lifetime Achievement Award, 2002; 8th Circuit Professionalism Award, American Inns of Court, 2001; Creighton University School of Law Faculty Award, 1953.

Federal Public Defender

Federal Public Defender — District of Nebraska Office: 222 S. 15th St., Suite 300N, Omaha, NE 68102, phone (402) 221-7896, fax (402) 221-7884; 112 Denney Federal Building, 100 Centennial Mall North, Lincoln, NE 68508, toll-free phone (855) 664-9214, fax (402) 437-5874, email address — david_stickman@fd.org, website — http://ne.fd.org

Nebraska Federal Public Defender: David R. Stickman

The Criminal Justice Act establishes the procedure for the appointment of counsel in federal criminal cases for individuals who are unable to afford adequate representation under plans adopted by each district court. The act also permits district courts to establish federal public defender or federal community defender organizations in districts where at least 200 people annually require the appointment of counsel. Nebraska has had a federal public defender since 1993. The 8th U.S. Circuit Court of Appeals appoints the Nebraska federal public defender for a four-year renewable term.

Nebraska Federal Public Defender, 2017

David R. Stickman

Office Address: 222 S. 15th St., Suite 300N, Omaha, NE 68102, phone (402) 221-7896

Appointed Federal Public Defender for the District of Nebraska: Dec. 1, 1993

Biography: Born 1955 in Omaha. Graduate of University of Nebraska-Lincoln (B.S. in business administration), 1978; Washington College of Law, American University (J.D.), 1981. Married Dec. 27, 1980; three children. Admitted to practice in the District of Columbia, 1982; Maryland, 1982; Nebraska, 1983; Supreme Court of the United States, 1987; U.S. Court of Appeals for the District of Columbia Circuit, 1982; 8th U.S. Circuit Court of Appeals, 1987. **Member:** Robert M. Spire American Inn of Court; Nebraska Criminal Defense Attorneys Association (president); National Association of Federal Public Defenders (president).