

FEDERAL PRACTICE COMMITTEE MEETING MINUTES

June 12, 2026
Omaha, Nebraska

Attendees included Chief District Judge Robert Rossiter, Jr., District Judge Brian Buescher, District Judge Susan Bazis, Senior District Judge Joseph Bataillon, Magistrate Judge Michael Nelson, Clerk of Bankruptcy Court Kyle Crockett, Chief Deputy Clerk of District Court Gabriela Acosta, Deputy Chief Probation and Pretrial Services Officer Kimi Camacho, Assistant Deputy Chief Probation and Pretrial Services Officer Brandon Maxon, Federal Public Defender Richard McWilliams, CJA Panel Representative Peder Bartling, Assistant United States Attorney Christopher Ferretti, Committee Chairperson Marcia Washkuhn, Isaiah Frohling, George Martin, Timothy Thalken, Dwyer Arce, Patrick Cooper, and Jennifer Turco Meyer. Also in attendance were Supervisor of Administrative Services Pat Williamson and Financial Supervisor Jeremy Reece.

The following committee members were unable to attend: Senior District Judge John Gerrard, Magistrate Judge Jacqueline DeLuca, Magistrate Judge Ryan Carson, Clerk of District Court Denise Lucks, Chief Probation and Pretrial Services Officer Aaron Kurtenbach, United States Attorney Lesley Woods, Steven Olson, Andrew Schlosser, Eric Berger, and Joshua Fershée.

1. Introductions

Judge Buescher welcomed the Federal Practice Committee (FPC) members and called the meeting to order.

2. Roll Call

Roll call was taken.

3. Reports and Updates

a. Judge Buescher's Opening Comments

Judge Buescher shared the following updates:

- The Magistrate Judges' Forum was held in May and it was very successful with excellent attendance.
- The Article III judges and the magistrate judges participated in panel discussions at the 2025 annual meeting of the Nebraska State Bar Association (NSBA). The sessions were very well received and plans are underway for the FPC to again coordinate such panel discussions at this year's NSBA annual meeting in October.
- The high-priority initiative to replace the federal courts' filing system (CM/ECF) continues to move forward. The Judicial Conference Committee on Information Technology, of which Judge Buescher is a member, is working to ensure the project moves as quickly as possible. The current CM/ECF system was built in the

mid to late 1990s. While it functioned well for many years, it now has significant security vulnerabilities and requires modernization. A consultant has been hired to work on the project. Judge Buescher noted that the new system will not permit districts to customize the software with their own add-ons, unlike the current system. Practitioners should be prepared to learn a new filing system and Judge Buescher asked for everyone's patience when the upgraded platform is rolled out. He also confirmed that the clerk's office will offer training when the new system is implemented.

- The deadline for submitting suggestions for local rule changes was June 5. Judge Buescher stated he intends to propose a rule requiring that briefs be double-spaced. The proposed rule will mirror the Eighth Circuit's rule.

b. Chief Judge Rossiter's Report on District Court

Chief Judge Rossiter provided the following comments and updates:

- Nebraska continues to have a very active FPC. Judge Rossiter thanked the members for their service and for their work on various subcommittees.
- The Judiciary's final budget for FY 2026 was better than expected.
- Regarding the court's caseload, for the 12-month period ending April 30, 2026, civil cases decreased by 4.24% over the last year, and the number of criminal felony defendants increased by almost 45%. There were 933 pending civil cases and 432 pending criminal cases as of April 30, 2026.
- The number of habeas petitions for immigration cases has leveled off.
- There has been a significant uptick in the use of AI in cases filed by pro se plaintiffs. In our district, the pro se law clerks are permitted to use AI for assistance in screening cases. Judge Rossiter added that the court is working to stay ahead of new developments in AI, but this will continue to be a big issue moving forward.
- Judge Carson has moved out of the temporary space on third floor to his permanent location on the second floor of the Hruska Building.
- Judge Rossiter echoed Judge Buescher's remarks on the success of the Magistrate Judges' Forum. He thanked the magistrate judges and all their staff, as well as the clerk's office members who helped with the event.

c. Magistrate Judges

Judge Nelson expressed appreciation to everyone who helped make the Magistrate Judges' Forum a success. Attendance was at or near capacity for both the civil and criminal sessions. Judge Nelson commended the members of the subcommittee led by Marcia Washkuhn for their work on selecting topics for discussion and coordinating with the judges. He also thanked all the court staff who assisted, the district judges, speakers, and participants. Judge Nelson gave a special thanks to Judge Carson and his staff for taking the lead and doing an outstanding job of organizing the program.

d. District Judges

Judge Bataillon reported that the Eighth Circuit and the federal judiciary as a whole recently revised the standards for senior judge staffing. Historically, in order for a senior judge to maintain full staffing, he or she needed to have 50% of the caseload of the lowest caseload in the circuit. Beginning next year, this percentage will increase from 50% to 65%. As a result, senior judges may be taking more cases.

e. Bankruptcy Judges

Bankruptcy Court Clerk Kyle Crockett reported that bankruptcy filings are up approximately 16.5% for the year to date. Kyle also noted that the bankruptcy court's CM/ECF system will undergo an update on June 13-14 and will not be available during that time.

f. Federal Public Defender

Rich McWilliams reported that in February, Congress fully funded the Defender Services Program. The Federal Public Defender's Office recently hired Kelly Varguez, federal court certified interpreter, and Joe Howard, Assistant Federal Public Defender. Kelly is already on board and Joe will start on June 29.

On March 27, the Federal Public Defender's office moved out of its 15th Street location and is currently housed at 1620 Dodge Street. Work is still underway to build out the new office space at 1901 Howard Street. Rich is hopeful the move to Howard Street will occur in October or November of 2026.

Panelpalooza is scheduled for September 17 and 18 this year.

g. United States Attorney

Assistant U.S. Attorney Chris Ferretti shared the following updates:

- The U.S. Attorney's Office will move to Woodmen Tower in late August or early September 2026.
- The office has hired additional Assistant U.S. Attorneys. The civil section is now fully staffed. Four new Assistant U.S. Attorneys are expected to join the criminal section within the next few months.

h. Federal Practice Committee Chair

Committee Chair Marcia Washkuhn reported on the FPC's ongoing support for Continuing Legal Education events. A subcommittee that was formed in early 2026 selected topics for the recent Magistrate Judges' Forum and coordinated planning with the judges.

On October 8, 2026, the Article III judges and the magistrate judges will participate in panel discussions at the 2026 annual meeting of the NSBA. The NSBA's Federal Law Section is co-hosting the session and has volunteered to provide a panel moderator. Marcia added that anyone from the FPC wishing to volunteer as another moderator should contact her. Marcia also suggested that an FPC subcommittee be formed to coordinate the planning and prepare questions for the panelists. Jennifer Turco Meyer volunteered to serve on the subcommittee.

Turning to the local rules, Marcia stated that she solicited suggested rule changes using various communication channels but did not receive any responses. The deadline for submitting ideas for 2026 rule changes has now passed. Moving forward, Marcia recommended that the FPC be more proactive and begin discussions earlier so that adequate time is available in the rulemaking cycle to consider changes. She proposed that an FPC subcommittee be formed annually, possibly early in the relevant year. Judge Buescher agreed and suggested a subcommittee be formed now in preparation for the 2027 cycle. It could be staffed within the next two months and meetings could be scheduled.

Dwyer Arce volunteered to serve on the subcommittee. Marcia will reach out to members who previously served on the FPC's local rules subcommittee and those who planned the Magistrate Judges' Forum. FPC members who are interested in serving on the local rules subcommittee should email her. Judge Buescher added that the subcommittee should include both plaintiff and defense attorneys. Judge Nelson stated that one or more of the magistrate judges would be willing to serve, and Rich McWilliams volunteered to be on the subcommittee for consideration of criminal rules.

4. Business Meeting

a. Approval of Minutes

The committee members approved the [minutes](#) from the meeting on January 23, 2026.

b. Review of Federal Practice Fund Reports

Pat Williamson reviewed the Federal Practice Committee's financial reports as of April 30, 2026. The beginning balance of the fund on January 1, 2026, was \$201,516. Pro hac vice fee deposits to date are \$9,900, interest earned is approximately \$1,215, and expenditures are just over \$13,000, leaving a balance of \$199,237.

Pat also reported that the project to upgrade the attorney wi-fi systems in the Omaha and Lincoln courthouses is complete. It was done concurrently with an upgrade to the court's wi-fi network. The cost for the Federal Practice Fund to upgrade the attorney wi-fi systems was approximately \$160,000. Judge Buescher added that Federal Practice Fund money was not used for upgrading the court's wi-fi network. Federal Practice funds

only went toward the attorney wi-fi network. Pat also noted that the internet carrier in the Omaha courthouse was changed from CenturyLink to Cox.