

ONE HUNDRED EIGHTH LEGISLATURE

SECOND SESSION

LEGISLATIVE RESOLUTION 381

Introduced by DeBoer, 10.

PURPOSE: The purpose of this resolution is to propose an interim study to conduct a comprehensive examination of court fees as a funding source for the court system and the judicial branch. In Nebraska, fees are assessed as part of the court costs for most, if not all, civil and criminal cases, including those related to traffic citations.

This study shall include, but need not be limited to, an examination of the following:

(1) Whether fees should be assessed on all cases or only certain types of cases;

(2) How court costs and fees in Nebraska compare to other states;

(3) The appropriateness and effectiveness of court fees as a means of providing funds for the court system or other agencies;

(4) The prioritization of fees collected and effectiveness of such fees to provide the court with sufficient resources and an analysis of the fees currently collected, the cost of each fee to court users, and how the fees are disbursed;

(5) Court fees and other ancillary expenses assessed to juveniles and their guardians, including, but not limited to, amounts collected yearly, any specific use of fees assessed to juveniles, and further examination of issues related to Legislative Bill 1089, introduced in the One Hundred Eighth Legislature, Second Session; and

(6) How much political subdivisions pay in court fees and whether any adjustments should be made.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Judiciary Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.