

LEGISLATIVE BILL 194

Approved by the Governor March 4, 1975

Introduced by Dworak, 22

AN ACT to amend section 48-157, Reissue Revised Statutes of Nebraska, 1943, relating to workmen's compensation; to permit the microfilming of certain court records; to provide for the admissibility of microfilm records as evidence; to permit the destruction of certain records without microfilming; to repeal the original section; and to declare an emergency. Be it enacted by the people of the State of Nebraska,

Section 1. That section 48-157, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

48-157. The presiding judge of the Nebraska Workmen's Compensation Court shall appoint a clerk of such court, who shall hold office at the pleasure of the court. The judge shall in like manner appoint such other assistants and employees as he may deem necessary to carry out the provisions of sections 48-101 to 48-191, including rehabilitation specialists. The clerk shall, under the direction of the presiding judge, keep a full and true record of the proceedings of the court, record all pleadings and other papers filed with the court, and no other action shall be taken thereon until the same have been recorded. The clerk shall in like manner issue all necessary notices and writs, superintend the clerical business of the court, and perform such other duties as the judge may direct. All other assistants and employees of the court shall perform such duties, pertaining to the affairs thereof, as the court may prescribe. The clerk may, under the direction of the presiding judge, microfilm any court record. The original record and other papers may be destroyed, but only with the approval of the State Records Board pursuant to sections 84-1201 to 84-1220. The reproduction of the microfilm shall be admissible as evidence in any court of record in the State of Nebraska and, when duly certified, shall be evidence of equal credibility with the original record.

Notices of hearings, notices of continuances, and summonses may be destroyed without microfilming after a record of their issuance has been made in the docket book. A reproduction of the page of the docket book or of the microfilm of the page of the docket book showing such record and, in the case of summonses, showing

issuance or return of the summons, when duly certified, shall be evidence of equal credibility with the original notice or summons. Correspondence, exhibits, and other papers which the court deems to be irrelevant, unimportant, or superfluous may be destroyed without microfilming.

Sec. 2. That original section 48-157, Reissue Revised Statutes of Nebraska, 1943, is repealed.

Sec. 3. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.