

LEGISLATIVE BILL 973

Approved by the Governor April 10, 1984

Introduced by Judiciary Committee, Beutler, 28, Chairperson; Von Minden, 17; Chronister, 18; Pirsch, 10; R. Johnson, 34; Jacobson, 33

AN ACT relating to the Nebraska Juvenile Code; to amend sections 43-2,111 to 43-2,113, Revised Statutes Supplement, 1982; to change provisions relating to the establishment of separate juvenile courts as prescribed; to provide jurisdiction for certain county courts; to harmonize provisions; and to repeal the original sections.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 43-2,111, Revised Statutes Supplement, 1982, be amended to read as follows:

43-2,111. Each county of this state having a population of seventy-five ~~thirty~~ thousand or more inhabitants shall constitute a separate juvenile court judicial district. There shall be established in each such juvenile court judicial district of this state a separate juvenile court whenever the establishment thereof shall be authorized by a majority of the electors of any such county voting thereon. The court so established shall be a court of record.

Sec. 2. That section 43-2,112, Revised Statutes Supplement, 1982, be amended to read as follows:

43-2,112. The question of whether or not there shall be established a separate juvenile court in any county having a population of seventy-five ~~thirty~~ thousand or more inhabitants shall be submitted to the qualified electors of any such county at the first general state election or at any special election held not less than four months after the filing with the Secretary of State of a petition requesting the establishment of such court signed by electors of such county in a number not less than five per cent of the total votes cast for Governor in such county at the general state election next preceding the filing of the petition. The question shall be submitted to the qualified electors of the county in the following form:

Shall there be established in County a separate juvenile court?

- Yes
- No

The election shall be conducted, and the ballots shall be counted and canvassed, by the regular election officials conducting the general state election in the

manner prescribed by law for submission of special propositions to the electors.

After a separate juvenile court has been established, the clerk of the county court shall forthwith transfer to the docket of the separate juvenile court all pending matters within the exclusive jurisdiction of the separate juvenile court for consideration and disposition by the judge thereof.

Sec. 3. That section 43-2,113, Revised Statutes Supplement, 1982, be amended to read as follows:

43-2,113. Where a separate juvenile court is established, the county board of the county shall provide suitable rooms and offices for the accommodation of the judge thereof, and the officers and employees appointed by such judge. Such separate juvenile court, the judge thereof, and the officers and employees of such court shall have the same and exclusive jurisdiction, powers, and duties that are prescribed in sections 43-245 to 43-2,129, ~~and~~ concurrent jurisdiction under sections 83-223 and 83-1101 to 83-1139, and such other jurisdiction, powers, and duties as may hereafter be specifically provided by law. A juvenile court created in a separate juvenile court judicial district or a county court sitting as a juvenile court in all other counties shall have and exercise jurisdiction within such juvenile court judicial district or county court judicial district with the district court in all matters arising under the provisions of Chapter 42, article 3, when the care, support, custody, or control of minor children under the age of eighteen years is involved. Such cases shall be filed in the district court and may with the consent of the juvenile judge be transferred to the docket of the separate juvenile court or county court.

Sec. 4. That original sections 43-2,111 to 43-2,113, Revised Statutes Supplement, 1982, are repealed.