

LEGISLATURE OF NEBRASKA

ONE HUNDRED SECOND LEGISLATURE

FIRST SESSION

**LEGISLATIVE BILL 251**

Introduced by Council, 11.

Read first time January 11, 2011

Committee: Judiciary

A BILL

1 FOR AN ACT relating to courts; to amend sections 33-103, 33-106,  
2 33-106.02, 33-123, 33-124, 33-125, 33-126.02, 33-126.03,  
3 33-126.04, and 33-126.06, Reissue Revised Statutes of  
4 Nebraska, and section 25-2804, Revised Statutes  
5 Cumulative Supplement, 2010; to change fees; and to  
6 repeal the original sections.

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

1           Section 1. Section 25-2804, Revised Statutes Cumulative  
2 Supplement, 2010, is amended to read:

3           25-2804 (1) Actions in the Small Claims Court shall be  
4 commenced by the filing of a claim, personally or by mail, by the  
5 plaintiff on a form provided by the clerk of a county court. The  
6 claim form shall be executed by the plaintiff in the presence of a  
7 judge, a clerk or deputy or assistant clerk of a county court, or a  
8 notary public or other person authorized by law to take  
9 acknowledgments. If not filed in person, the claim form and  
10 appropriate fees shall be mailed by the plaintiff to the court of  
11 proper jurisdiction.

12           (2) ~~At~~ Through September 30, 2011, at the time of the  
13 filing of the claim, the plaintiff shall pay a fee of six dollars and  
14 twenty-five cents to the clerk. Beginning October 1, 2011, at the  
15 time of the filing of the claim, the plaintiff shall pay a fee of  
16 twenty-six dollars and twenty-five cents to the clerk. One dollar and  
17 twenty-five cents of such fee shall be remitted to the State  
18 Treasurer for credit to the Nebraska Retirement Fund for Judges.

19           (3) Upon filing of a claim in the Small Claims Court, the  
20 court shall set a time for hearing and shall cause notice to be  
21 served upon the defendant. Notice shall be served not less than five  
22 days before the time set for hearing. Notice shall consist of a copy  
23 of the complaint and a summons directing the defendant to appear at  
24 the time set for hearing and informing the defendant that if he or  
25 she fails to appear, judgment will be entered against him or her.

1 Notice shall be served in the manner provided for service of a  
2 summons in a civil action. If the notice is to be served by certified  
3 mail, the clerk shall provide the plaintiff with written  
4 instructions, prepared and provided by the State Court Administrator,  
5 regarding the proper procedure for service by certified mail. The  
6 cost of service shall be paid by the plaintiff, but such cost and  
7 filing fee shall be added to any judgment given the plaintiff.

8 (4) The defendant may file a setoff or counterclaim. Any  
9 setoff or counterclaim shall be filed and a copy delivered to the  
10 plaintiff at least two days prior to the time of trial. If the setoff  
11 or counterclaim exceeds the jurisdictional limits of the Small Claims  
12 Court as established pursuant to section 25-2802, the court shall  
13 cause the entire matter to be transferred to the regular county court  
14 docket and set for trial.

15 (5) No prejudgment actions for attachment, garnishment,  
16 replevin, or other provisional remedy may be filed in the Small  
17 Claims Court.

18 (6) All forms required by this section shall be  
19 prescribed by the Supreme Court. The claim form shall provide for the  
20 names and addresses of the plaintiff and defendant, a concise  
21 statement of the nature, amount, and time and place of accruing of  
22 the claim, and an acknowledgment for use by the person in whose  
23 presence the claim form is executed and shall also contain a brief  
24 explanation of the Small Claims Court procedure and methods of appeal  
25 therefrom.

1                   (7) For a default judgment rendered by a Small Claims  
2 Court (a) the default judgment may be appealed as provided in section  
3 25-2807, (b) if a motion for a new trial, by the procedure provided  
4 in sections 25-1142, 25-1144, and 25-1144.01, is filed ten days or  
5 less after entry of the default judgment, the court may act upon the  
6 motion without a hearing, or (c) if more than ten days have passed  
7 since the entry of the default judgment, the court may set aside,  
8 vacate, or modify the default judgment as provided in section  
9 25-2720.01. Parties may be represented by attorneys for the purpose  
10 of filing a motion for a new trial or to set aside, vacate, or modify  
11 a default judgment.

12                   Sec. 2. Section 33-103, Reissue Revised Statutes of  
13 Nebraska, is amended to read:

14                   33-103 ~~At~~ Through September 30, 2011, at the time of  
15 filing an appeal, original action, or other proceeding in the Court  
16 of Appeals or Supreme Court there shall be paid to the clerk the sum  
17 of one hundred dollars as a docket fee. Beginning October 1, 2011, at  
18 the time of filing an appeal, original action, or other proceeding in  
19 the Court of Appeals or Supreme Court there shall be paid to the  
20 clerk the sum of one hundred and twenty dollars as a docket fee.  
21 Fifty dollars of such fee shall be remitted to the State Treasurer  
22 for credit to the Nebraska Retirement Fund for Judges.

23                   The clerk shall charge fees for copies of documents and  
24 certificates at the rate provided in section 25-1280.

25                   Sec. 3. Section 33-106, Reissue Revised Statutes of

1 Nebraska, is amended to read:

2           33-106 (1) In addition to the judges retirement fund fee  
3 provided in section 24-703 and the fee provided in section 33-106.03  
4 and except as otherwise provided by law, the fees of the clerk of the  
5 district court shall be as follows: ~~There Through September 30, 2011,~~  
6 there shall be a docket fee of forty-two dollars and beginning  
7 October 1, 2011, a docket fee of sixty-two dollars for each civil and  
8 criminal case except (a) a case commenced by filing a transcript of  
9 judgment as hereinafter provided, (b) proceedings under the Nebraska  
10 Workers' Compensation Act and the Employment Security Law, when  
11 provision is made for the fees that may be charged, and (c) a  
12 criminal case appealed to the district court from any court inferior  
13 thereto as hereinafter provided. ~~There Through September 30, 2011,~~  
14 there shall be a docket fee of twenty-five dollars for each case  
15 commenced by filing a transcript of judgment from another court in  
16 this state for the purpose of obtaining a lien. There Beginning  
17 October 1, 2011, there shall be a docket fee of forty-five dollars  
18 for each case commenced by filing a transcript of judgment from  
19 another court in this state for the purpose of obtaining a lien.  
20 ~~Through September 30, 2011, there shall be a docket fee of twenty-~~  
21 ~~seven dollars for each criminal case appealed to the district court~~  
22 ~~from any court inferior thereto. Beginning October 1, 2011, there~~  
23 ~~shall be a docket fee of forty-seven dollars for each criminal case~~  
24 ~~appealed to the district court from any court inferior thereto.~~

25           (2) In all cases, other than those appealed from an

1 inferior court or original filings which are within jurisdictional  
2 limits of an inferior court and when a jury is demanded in district  
3 court, the docket fee shall cover all fees of the clerk, except that  
4 the clerk shall be paid for each copy or transcript ordered of any  
5 pleading, record, or other paper and that the clerk shall be entitled  
6 to a fee of fifteen dollars for making a complete record of a case.

7 (3) The fee for making a complete record of a case shall  
8 be taxed as a part of the costs of the case, except when expressly  
9 waived by the parties to the action. In a Title IV-D case, in a case  
10 filed pursuant to sections 25-2301 to 25-2310, or in a case filed by  
11 a county attorney, the fee for making a complete record of a case  
12 shall be waived. In all civil cases, except habeas corpus cases in  
13 which a poverty affidavit is filed and approved by the court, and for  
14 all other services, the docket fee or other fee shall be paid by the  
15 party filing the case or requesting the service at the time the case  
16 is filed or the service requested.

17 (4) For any other service which may be rendered or  
18 performed by the clerk but which is not required in the discharge of  
19 his or her official duties, the fee shall be the same as that of a  
20 notary public but in no case less than one dollar.

21 Sec. 4. Section 33-106.02, Reissue Revised Statutes of  
22 Nebraska, is amended to read:

23 33-106.02 (1) The clerk of the district court of each  
24 county shall not retain for his or her own use any fees, revenue,  
25 perquisites, or receipts, fixed, enumerated, or provided in this or

1 any other section of the statutes of the State of Nebraska or any  
2 fees authorized by federal law to be collected or retained by a  
3 county official. The clerk shall on or before the fifteenth day of  
4 each month make a report to the county board, under oath, showing the  
5 different items of such fees, revenue, perquisites, or receipts  
6 received, from whom, at what time, and for what service, and the  
7 total amount received by such officer since the last report, and also  
8 the amount received for the current year.

9 (2) The clerk shall account for and pay any fees,  
10 revenue, perquisites, or receipts not later than the fifteenth day of  
11 the month following the calendar month in which such fees, revenue,  
12 perquisites, or receipts were received in the following manner:

13 (a) ~~Of—Through September 30, 2011, of the forty-two-~~  
14 dollar docket fee imposed pursuant to section 33-106, five dollars  
15 shall be remitted to the State Treasurer for credit to the General  
16 Fund and two dollars shall be remitted to the State Treasurer for  
17 credit to the Nebraska Retirement Fund for Judges. Beginning October  
18 1, 2011, of the sixty-two-dollar docket fee imposed pursuant to  
19 section 33-106, twenty-five dollars shall be remitted to the State  
20 Treasurer for credit to the General Fund and two dollars shall be  
21 remitted to the State Treasurer for credit to the Nebraska Retirement  
22 Fund for Judges;

23 (b) ~~Of—Through September 30, 2011, of the twenty-seven-~~  
24 dollar docket fee imposed for appeal of a criminal case to the  
25 district court pursuant to section 33-106, two dollars shall be

1 remitted to the State Treasurer for credit to the Nebraska Retirement  
2 Fund for Judges. Beginning October 1, 2011, of the forty-seven-dollar  
3 docket fee imposed for appeal of a criminal case to the district  
4 court pursuant to section 33-106, two dollars shall be remitted to  
5 the State Treasurer for credit to the Nebraska Retirement Fund for  
6 Judges; and

7 (c) The remaining fees, revenue, perquisites, or receipts  
8 shall be credited to the general fund of the county.

9 Sec. 5. Section 33-123, Reissue Revised Statutes of  
10 Nebraska, is amended to read:

11 33-123 ~~The~~ Through September 30, 2011, the county court  
12 shall be entitled to the following fees in civil matters: For any and  
13 all services rendered up to and including the judgment or dismissal  
14 of the action other than for a domestic relations matter, twenty  
15 dollars of which two dollars shall be remitted to the State Treasurer  
16 for credit to the Nebraska Retirement Fund for Judges, and for any  
17 and all services rendered up to and including the judgment or  
18 dismissal of a domestic relations matter, forty dollars; for filing a  
19 foreign judgment or a judgment transferred from another court in this  
20 state, fifteen dollars; and for writs of execution, writs of  
21 restitution, garnishment, and examination in aid of execution, five  
22 dollars each. Beginning October 1, 2011, the county court shall be  
23 entitled to the following fees in civil matters: For any and all  
24 services rendered up to and including the judgment or dismissal of  
25 the action other than for a domestic relations matter, forty dollars

1 of which two dollars shall be remitted to the State Treasurer for  
2 credit to the Nebraska Retirement Fund for Judges, and for any and  
3 all services rendered up to and including the judgment or dismissal  
4 of a domestic relations matter, forty dollars; for filing a foreign  
5 judgment or a judgment transferred from another court in this state,  
6 fifteen dollars; and for writs of execution, writs of restitution,  
7 garnishment, and examination in aid of execution, five dollars each.

8           Sec. 6. Section 33-124, Reissue Revised Statutes of  
9 Nebraska, is amended to read:

10           33-124 ~~In~~ Through September 30, 2011, in criminal  
11 matters, including preliminary and juvenile hearings, the county  
12 court shall receive, for any and all services rendered up to and  
13 including the judgment or dismissal of the action and the issuance of  
14 mittimus or discharge to the jailer, the sum of twenty dollars of  
15 which two dollars shall be remitted to the State Treasurer for credit  
16 to the Nebraska Retirement Fund for Judges. Beginning October 1,  
17 2011, in criminal matters, including preliminary and juvenile  
18 hearings, the county court shall receive, for any and all services  
19 rendered up to and including the judgment or dismissal of the action  
20 and the issuance of mittimus or discharge to the jailer, the sum of  
21 forty dollars of which two dollars shall be remitted to the State  
22 Treasurer for credit to the Nebraska Retirement Fund for Judges.

23           Sec. 7. Section 33-125, Reissue Revised Statutes of  
24 Nebraska, is amended to read:

25           33-125 (1) ~~In~~ Through September 30, 2011, in probate

1 matters the county court shall be entitled to receive the following  
2 fees:

3 (a) For probate proceedings commenced and closed  
4 informally, twenty-two dollars of which two dollars shall be remitted  
5 to the State Treasurer for credit to the Nebraska Retirement Fund for  
6 Judges; for each petition or application filed within the informal  
7 proceedings, twenty-two dollars of which two dollars shall be  
8 remitted to the State Treasurer for credit to the Nebraska Retirement  
9 Fund for Judges; and for any other proceeding under the Nebraska  
10 Probate Code for which no court fee is established by statute,  
11 twenty-two dollars of which two dollars shall be remitted to the  
12 State Treasurer for credit to the Nebraska Retirement Fund for  
13 Judges. The fees assessed under this subdivision shall not exceed the  
14 fees which would be assessed for a formal probate under subdivision  
15 (b) of this subsection; and

16 (b) For probate proceedings commenced or closed formally:

17 (i) When the value does not exceed one thousand dollars,  
18 twenty-two dollars;

19 (ii) When the value exceeds one thousand dollars and is  
20 not more than two thousand dollars, thirty dollars;

21 (iii) When the value exceeds two thousand dollars and is  
22 not more than five thousand dollars, fifty dollars;

23 (iv) When the value exceeds five thousand dollars and is  
24 not more than ten thousand dollars, seventy dollars;

25 (v) When the value exceeds ten thousand dollars and is

1 not more than twenty-five thousand dollars, eighty dollars;

2 (vi) When the value exceeds twenty-five thousand dollars  
3 and is not more than fifty thousand dollars, one hundred dollars;

4 (vii) When the value exceeds fifty thousand dollars and  
5 is not more than seventy-five thousand dollars, one hundred twenty  
6 dollars;

7 (viii) When the value exceeds seventy-five thousand  
8 dollars and is not more than one hundred thousand dollars, one  
9 hundred sixty dollars;

10 (ix) When the value exceeds one hundred thousand dollars  
11 and is not more than one hundred twenty-five thousand dollars, two  
12 hundred twenty dollars;

13 (x) When the value exceeds one hundred twenty-five  
14 thousand dollars and is not more than one hundred fifty thousand  
15 dollars, two hundred fifty dollars;

16 (xi) When the value exceeds one hundred fifty thousand  
17 dollars and is not more than one hundred seventy-five thousand  
18 dollars, two hundred seventy dollars;

19 (xii) When the value exceeds one hundred seventy-five  
20 thousand dollars and is not more than two hundred thousand dollars,  
21 three hundred dollars;

22 (xiii) When the value exceeds two hundred thousand  
23 dollars and is not more than three hundred thousand dollars, three  
24 hundred fifty dollars;

25 (xiv) When the value exceeds three hundred thousand

1 dollars and is not more than four hundred thousand dollars, four  
2 hundred dollars;

3 (xv) When the value exceeds four hundred thousand dollars  
4 and is not more than five hundred thousand dollars, five hundred  
5 dollars;

6 (xvi) When the value exceeds five hundred thousand  
7 dollars and is not more than seven hundred fifty thousand dollars,  
8 six hundred dollars;

9 (xvii) When the value exceeds seven hundred fifty  
10 thousand dollars and is not more than one million dollars, seven  
11 hundred dollars;

12 (xviii) When the value exceeds one million dollars and is  
13 not more than two million five hundred thousand dollars, eight  
14 hundred dollars;

15 (xix) When the value exceeds two million five hundred  
16 thousand dollars and is not more than five million dollars, one  
17 thousand dollars; and

18 (xx) On all estates when the value exceeds five million  
19 dollars, one thousand five hundred dollars.

20 (2) Beginning October 1, 2011, in probate matters the  
21 county court shall be entitled to receive the following fees:

22 (a) For probate proceedings commenced and closed  
23 informally, forty-two dollars of which two dollars shall be remitted  
24 to the State Treasurer for credit to the Nebraska Retirement Fund for  
25 Judges; for each petition or application filed within the informal

1 proceedings, forty-two dollars of which two dollars shall be remitted  
2 to the State Treasurer for credit to the Nebraska Retirement Fund for  
3 Judges; and for any other proceeding under the Nebraska Probate Code  
4 for which no court fee is established by statute, forty-two dollars  
5 of which two dollars shall be remitted to the State Treasurer for  
6 credit to the Nebraska Retirement Fund for Judges. The fees assessed  
7 under this subdivision shall not exceed the fees which would be  
8 assessed for a formal probate under subdivision (b) of this  
9 subsection; and

10 (b) For probate proceedings commenced or closed formally:

11 (i) When the value does not exceed one thousand dollars,  
12 forty-two dollars;

13 (ii) When the value exceeds one thousand dollars and is  
14 not more than two thousand dollars, fifty dollars;

15 (iii) When the value exceeds two thousand dollars and is  
16 not more than five thousand dollars, seventy dollars;

17 (iv) When the value exceeds five thousand dollars and is  
18 not more than ten thousand dollars, ninety dollars;

19 (v) When the value exceeds ten thousand dollars and is  
20 not more than twenty-five thousand dollars, one hundred dollars;

21 (vi) When the value exceeds twenty-five thousand dollars  
22 and is not more than fifty thousand dollars, one hundred twenty  
23 dollars;

24 (vii) When the value exceeds fifty thousand dollars and  
25 is not more than seventy-five thousand dollars, one hundred forty

1 dollars;

2 (viii) When the value exceeds seventy-five thousand  
3 dollars and is not more than one hundred thousand dollars, one  
4 hundred eighty dollars;

5 (ix) When the value exceeds one hundred thousand dollars  
6 and is not more than one hundred twenty-five thousand dollars, two  
7 hundred forty dollars;

8 (x) When the value exceeds one hundred twenty-five  
9 thousand dollars and is not more than one hundred fifty thousand  
10 dollars, two hundred seventy dollars;

11 (xi) When the value exceeds one hundred fifty thousand  
12 dollars and is not more than one hundred seventy-five thousand  
13 dollars, two hundred ninety dollars;

14 (xii) When the value exceeds one hundred seventy-five  
15 thousand dollars and is not more than two hundred thousand dollars,  
16 three hundred twenty dollars;

17 (xiii) When the value exceeds two hundred thousand  
18 dollars and is not more than three hundred thousand dollars, three  
19 hundred seventy dollars;

20 (xiv) When the value exceeds three hundred thousand  
21 dollars and is not more than four hundred thousand dollars, four  
22 hundred twenty dollars;

23 (xv) When the value exceeds four hundred thousand dollars  
24 and is not more than five hundred thousand dollars, five hundred  
25 twenty dollars;

1           (xvi) When the value exceeds five hundred thousand  
2 dollars and is not more than seven hundred fifty thousand dollars,  
3 six hundred twenty dollars;

4           (xvii) When the value exceeds seven hundred fifty  
5 thousand dollars and is not more than one million dollars, seven  
6 hundred twenty dollars;

7           (xviii) When the value exceeds one million dollars and is  
8 not more than two million five hundred thousand dollars, eight  
9 hundred twenty dollars;

10           (xix) When the value exceeds two million five hundred  
11 thousand dollars and is not more than five million dollars, one  
12 thousand twenty dollars; and

13           (xx) On all estates when the value exceeds five million  
14 dollars, one thousand five hundred forty dollars.

15           ~~(2)-(3)~~ The fees prescribed in subdivision (1)(b) or (2)  
16 (b) of this section shall be based on the gross value of the estate,  
17 including both real and personal property in the State of Nebraska at  
18 the time of death. The gross value shall mean the actual value of the  
19 estate less liens and joint tenancy property. Formal fees shall be  
20 charged in full for all services performed by the court, and no  
21 additional fees shall be charged for petitions, hearing, and orders  
22 in the course of such administration. The court shall provide one  
23 certified copy of letters of appointment without charge. In other  
24 cases when it is necessary to copy instruments, the county court  
25 shall be allowed the fees provided in section 33-126.05. In all cases

1 when a petition for probate of will or appointment of an  
2 administrator, special administrator, personal representative,  
3 guardian, or trustee or any other petition for an order in probate  
4 matters is filed and no appointment is made or order entered and the  
5 cause is dismissed, the fee shall be ten dollars.

6 Sec. 8. Section 33-126.02, Reissue Revised Statutes of  
7 Nebraska, is amended to read:

8 33-126.02 ~~In~~ Through September 30, 2011, in matters of  
9 guardianship and conservatorship, the county court shall be entitled  
10 to receive the following fees: Upon the filing of a petition for the  
11 appointment of a guardian, twenty-two dollars; upon the filing of a  
12 petition for the appointment of a conservator, twenty-two dollars;  
13 upon the filing of one petition for a consolidated appointment of  
14 both a guardian and conservator, twenty-two dollars; for the  
15 appointment of a successor guardian or conservator, twenty-two  
16 dollars; for the appointment of a temporary guardian or temporary or  
17 special conservator, twenty-two dollars; and for proceedings for a  
18 protective order in the absence of a guardianship or conservatorship,  
19 twenty-two dollars. Beginning October 1, 2011, in matters of  
20 guardianship and conservatorship, the county court shall be entitled  
21 to receive the following fees: Upon the filing of a petition for the  
22 appointment of a guardian, forty-two dollars; upon the filing of a  
23 petition for the appointment of a conservator, forty-two dollars;  
24 upon the filing of one petition for a consolidated appointment of  
25 both a guardian and conservator, forty-two dollars; for the

1 appointment of a successor guardian or conservator, forty-two  
2 dollars; for the appointment of a temporary guardian or temporary or  
3 special conservator, forty-two dollars; and for proceedings for a  
4 protective order in the absence of a guardianship or conservatorship,  
5 forty-two dollars. If there is more than one ward listed in a  
6 petition for appointment of a guardian or conservator or both, only  
7 one filing fee shall be assessed. ~~Two~~ Through September 30, 2011, two  
8 dollars of each twenty-two-dollar fee and beginning October 1, 2011,  
9 two dollars of each forty-two dollar fee shall be remitted to the  
10 State Treasurer for credit to the Nebraska Retirement Fund for  
11 Judges. While such guardianship or conservatorship is pending, the  
12 court shall receive five dollars for filing and recording each  
13 report. ~~When~~ Through September 30, 2011, when the appointment of a  
14 custodian as provided for in the Nebraska Uniform Transfers to Minors  
15 Act is made, the county court shall be entitled to receive a fee of  
16 twenty dollars. Beginning October 1, 2011, when the appointment of a  
17 custodian as provided for in the Nebraska Uniform Transfers to Minors  
18 Act is made, the county court shall be entitled to receive a fee of  
19 forty dollars.

20           Sec. 9. Section 33-126.03, Reissue Revised Statutes of  
21 Nebraska, is amended to read:

22           33-126.03 In all matters for the determination of  
23 inheritance tax under Chapter 77, article 20, the county court shall  
24 be entitled to receive through September 30, 2011, fees of twenty-two  
25 dollars and beginning October 1, 2011, fees of forty-two dollars.

1 Fees under this section shall not be charged if fees have been  
2 imposed pursuant to subdivision (1)(b) of section 33-125. Except in  
3 cases instituted by the county attorney, such fee shall be paid by  
4 the person petitioning for such determination. Two dollars of such  
5 fee shall be remitted to the State Treasurer for credit to the  
6 Nebraska Retirement Fund for Judges.

7 Sec. 10. Section 33-126.04, Reissue Revised Statutes of  
8 Nebraska, is amended to read:

9 33-126.04 ~~In~~Through September 30, 2011, in all matters  
10 of adoption, for each child adopted five dollars shall be allowed the  
11 court for the entire proceeding. Beginning October 1, 2011, in all  
12 matters of adoption, for each child adopted twenty-five dollars shall  
13 be allowed the court for the entire proceeding.

14 Sec. 11. Section 33-126.06, Reissue Revised Statutes of  
15 Nebraska, is amended to read:

16 33-126.06 ~~The~~Through September 30, 2011, the county  
17 court shall be entitled to collect the following fees: For the  
18 registration of any trust, whether testamentary or not, twenty-two  
19 dollars; for each proceeding initiated in county court concerning the  
20 administration and distribution of trusts, the declaration of rights,  
21 and the determination of other matters involving trustees and  
22 beneficiaries of trusts, twenty-two dollars; for the appointment of a  
23 successor trustee, twenty-two dollars; and for filing and recording  
24 each report, five dollars. ~~Two~~Beginning October 1, 2011, the  
25 court shall be entitled to collect the following fees: For the

1 registration of any trust, whether testamentary or not, forty-two  
2 dollars; for each proceeding initiated in county court concerning the  
3 administration and distribution of trusts, the declaration of rights,  
4 and the determination of other matters involving trustees and  
5 beneficiaries of trusts, forty-two dollars; for the appointment of a  
6 successor trustee, forty-two dollars; and for filing and recording  
7 each report, five dollars. Through September 30, 2011, two dollars of  
8 each twenty-two-dollar fee and beginning October 1, 2011, two dollars  
9 of each forty-two-dollar fee shall be remitted to the State Treasurer  
10 for credit to the Nebraska Retirement Fund for Judges.

11           Sec. 12. Original sections 33-103, 33-106, 33-106.02,  
12 33-123, 33-124, 33-125, 33-126.02, 33-126.03, 33-126.04, and  
13 33-126.06, Reissue Revised Statutes of Nebraska, and section 25-2804,  
14 Revised Statutes Cumulative Supplement, 2010, are repealed.