

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE  
Transcriber's Office

February 16, 1999 LB 50, 51, 54, 101, 203, 218, 255, 375, 407  
439, 612, 649, 689

SENATOR CROSBY: LB 101 advances. Mr. Clerk, do you have items for the record?

CLERK: I do, Madam President, thank you. First of all, the Education Committee will have an Executive Session at eleven o'clock in Room 2022. Committee reports, Judiciary reports (LB) 375 General File, (LB) 407 General File, (LB) 612 General File, (LB) 51 and (LB) 54 General File with amendments, LB 50, (LB) 203, (LB) 218, (LB) 255, (LB) 439, (LB) 649, all indefinitely postponed. Those reports signed by Senator Brashear. That's all that I have, Madam President. (See pages 597-583 of the Legislative Journal.)

SENATOR CROSBY: Thank you. LB 689.

CLERK: (LB) 689, Madam President, a bill by Senator Robak. (Read title.) The bill was introduced on January 20 of this year, at that time referred to the Judiciary Committee. The bill was advanced to General File. I have no amendments to the bill right now, Madam President.

SENATOR CROSBY: Thank you, Mr. Clerk. Senator Robak, you're recognized to open on LB 689.

SENATOR ROBAK: Thank you, Madam President, members of the body. I am introducing LB 689, which was advanced from the Judiciary Committee on an 8 to nothing vote. What LB 689 does, it amends the Nebraska rules of civil procedures concerning in forma pauperis. The term means, in the simplest way that I can say, a person asks the courts permission to have taxpayers pay his or her administrative costs of a case before the court. By way of background, the Nebraska laws enacted in 1972 are based on the federal in forma pauperis statute enacted in 1892. They were designed to ensure that indigent litigants have a meaningful access to the courts. Current law says that a person has to file an application stating that he or she has no assets or money to prepay costs or fees or provide services, provide security. The court and/or other interested parties may object to an in forma pauperis application for one of the two reasons; the applicant has enough funds to pay the costs, or the lawsuit is frivolous or malicious. The reason for this bill is to add language saying if an application is denied the party has ten