



**Ninety-Ninth Legislature - Second Session - 2006**  
**Committee Statement**  
**LB 824**

---

**Hearing Date:** January 20, 2006  
**Committee On:** Judiciary

**Introducer(s):** (Bourne)

**Title:** Change provisions relating to the Court of Appeals, county courts, juvenile courts, and search warrants

---

**Roll Call Vote – Final Committee Action:**

- X Advanced to General File
  - Advanced to General File with Amendments
  - Indefinitely Postponed
- 

**Vote Results:**

7	Yes	Senators Aguilar, Bourne, Chambers, Combs, Flood, Foley, Friend
	No	
	Present, not voting	
1	Absent	Senator Pedersen

---

**Proponents:**

Senator Pat Bourne  
Patrick McDermott  
Kim Robak  
C Jo Petersen

**Representing:**

Introducer  
Nebraska County Judges Association  
Nebraska State Bar Association  
Nebraska County Attorneys Association

**Opponents:**

**Representing:**

**Neutral:**

**Representing:**

---

**Summary of purpose and/or changes:**

Legislative Bill 824:

\* Includes the Court of Appeals in the term-of-court statute and changes the ending date of the term of court from the first Monday of each calendar month to January 1. This change conforms the procedure in county court to that in the district court. It simplifies dealing with default judgments in county court.

---

\* Allows county court when sitting as a juvenile court to set aside default judgments and to vacate or modify its own judgments during or after the term at which the judgment or order was made.

\* Allows county court to authorize search warrants for anywhere in the state (currently limited to within its own district).

\* Allows search warrant affidavits and search warrants to be submitted and issued via fax or other electronic means.

\* Allows a separate juvenile court to vacate and modify its own judgments or orders.

\* Allows any person authorized to administer oaths to administer an oath for search warrant affidavits. This would allow a police officer's affidavit to be signed under oath outside of the presence of a judge when a police officer faxes or emails his or her affidavit for a search warrant to the court. Some people who may administer the oath to a police officer on an affidavit are court clerks and notaries public.

**Explanation of amendments, if any:**

---

**Senator Patrick J. Bourne, Chairperson**