



Hundredth Legislature - First Session - 2007
Committee Statement
LB 457

Hearing Date: February 21, 2007
Committee On: Judiciary

Introducer(s): (Hansen)

Title: Change provisions governing court review of foster care placement

Roll Call Vote – Final Committee Action:

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

Vote Results:

7	Yes	Sen. Ashford, Sen. Lathrop, Sen. McDonald, Sen. McGill, Sen. Pedersen, Sen. Pirsch, Sen. Schimek
1	No	Sen. Chambers
	Present, not voting	
	Absent	

Proponents:

Sen. Hansen
Carolyn Stitt
Pamela Allen
Larry Ruth
Bruce Rieker

Representing:

State Foster Care Review Board
NFAPA
NSBA
Citizen

Opponents:

Representing:

Neutral:

Representing:

Summary of purpose and/or changes: Under current law, a foster parent has the right to participate in hearings, but this only amounts to being present in the courtroom. A foster parent is not a party of interest and is not afforded the opportunity to participate in discovery, questioning, cross-examining, or calling witnesses beyond what is personally applicable to their qualifications for consideration of the Court. *In re Interest of Destiny S.*, 263 Neb. 255, 639 N.W.2d 400 (2002).

Legislative Bill 457 amends N.R.S. §43-1314 to require the court to question the foster parent if the parent is present at the court review. Under the bill, the court must inquire about the well-

being of the foster child with any and all foster parents, preadoptive parents, and/or relatives providing care to the child that are present at the court review.

Explanation of amendments, if any:

Senator Brad Ashford, Chairperson