



Hundredth Legislature - Second Session - 2008
Introducer's Statement of Intent
LB 1160

Chairperson: Brad Ashford
Committee: Judiciary
Date of Hearing: February 14, 2008

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

LB 1160 is the product of extensive discussions with juvenile judges, attorneys practicing juvenile law, and the Juvenile Justice Institute at the University of Nebraska at Omaha. LB 1160 seeks to reduce repeat juvenile offenses by making the following changes to the Nebraska juvenile justice system:

1. LB 1160 modifies the timetable by which persons under the age of eighteen years old who are alleged to have committed a crime subject to adjudication under the Nebraska Juvenile Code may move the presiding county or district court to have further proceedings waived to the juvenile court. Current law requires that such a motion be made no later than within fifteen days of trial. LB 1160 would require motions to waive to juvenile court to be made within thirty days after arraignment, unless otherwise permitted by the court for good cause shown. This provision would expedite the juvenile justice process in order to address the concerns of the juvenile in question in a timelier manner.
2. LB 1160 ensures the confidentiality of juveniles and their families during facilitated prehearing conferences and family group conferences by classifying discussions held during such meetings as confidential and privileged. Applicable prehearing conferences may include plea negotiations, meetings held to gain the cooperation of involved parties, meetings held for the purpose of offering services and treatment, and meetings held to develop plans to provide for the best interests of minors under the juvenile court's jurisdiction.
3. LB 1160 adds to the circumstances that county attorneys are to consider when determining whether to file a criminal charge, file a juvenile court petition, offer pretrial diversion, or to offer mediation. The new considerations would include whether the juvenile has been convicted of or admitted to the unauthorized use or possession of a firearm as well as whether a juvenile court has previously issued an order advising against future adjudications for the minor in a juvenile court.

Principal Introducer:

Senator Brad Ashford