

LEGISLATURE OF NEBRASKA
ONE HUNDRED THIRD LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL 51

Introduced by Ashford, 20.

Read first time January 10, 2013

Committee: Judiciary

A BILL

1 FOR AN ACT relating to courts; to amend sections 24-107, 24-209,
2 24-212, 85-176, and 85-177, Reissue Revised Statutes of
3 Nebraska; to change provisions relating to format and
4 distribution of court opinions; and to repeal the
5 original sections.
6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 24-107, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 24-107 The written opinions of any court of impeachment
4 shall be reported in the volume of the Nebraska Reports issued after
5 the adjournments of such court. In the alternative or in addition to
6 print format, such opinions may be published in electronic format in
7 the manner and under such title designated by the Supreme Court.

8 Sec. 2. Section 24-209, Reissue Revised Statutes of
9 Nebraska, is amended to read:

10 24-209 (1) ~~One copy~~ Unless otherwise directed by the
11 Supreme Court, one copy in print format of the Nebraska Reports and
12 ~~one copy~~ of the Nebraska Appellate Reports shall be furnished by the
13 Supreme Court to each judge of the Supreme Court, Court of Appeals,
14 Nebraska Workers' Compensation Court, and district, separate
15 juvenile, and county courts, to each county law library, and to each
16 state library, and two copies of such reports shall be furnished to
17 the Legislative Council. The State Court Administrator shall be
18 furnished as many additional copies in print format as he or she
19 deems necessary for the operation of the Court of Appeals and the
20 Supreme Court.

21 (2) ~~One advance copy~~ Unless otherwise directed by the
22 Supreme Court, one copy in print format of the opinions of the
23 Nebraska Supreme Court in pamphlet form, known as the Nebraska
24 Advance Sheets, and one ~~advance copy~~ in print format of the opinions
25 of the Nebraska Court of Appeals in pamphlet form, known as the

1 Decisions of the Nebraska Court of Appeals, shall be furnished to
2 each judge of the Supreme Court, Court of Appeals, Nebraska Workers'
3 Compensation Court, and district, separate juvenile, and county
4 courts, as many ~~advance copies~~ as may be requested by the members of
5 the Legislature shall be furnished to the Clerk of the Legislature,
6 and the State Court Administrator shall be furnished as many ~~advance~~
7 ~~copies~~ as he or she deems necessary for the operation of the Court of
8 Appeals and the Supreme Court.

9 (3) The balance of the Nebraska Reports, Nebraska
10 Appellate Reports, Nebraska Advance Sheets, and Decisions of the
11 Nebraska Court of Appeals shall be sold as called for at such price
12 and in such format as shall be prescribed by the Supreme Court. ~~The~~
13 ~~Supreme Court shall also prescribe the price for microform copies of~~
14 ~~the reports.~~ The money received from such sales shall be paid into
15 the Supreme Court Reports Cash Fund which is hereby created.

16 (4) Upon request from any office or entity entitled to
17 free copies of the Nebraska Reports, the Nebraska Appellate Reports,
18 the Nebraska Advance Sheets, or the Decisions of the Nebraska Court
19 of Appeals, the court may stop sending the publications to such
20 office or entity until the request is withdrawn.

21 (5) If it is determined by the Supreme Court, pursuant to
22 subsection (2) of section 24-212 that publication of the opinions of
23 the Supreme Court and the Court of Appeals shall be in electronic
24 format, as an alternative to or in addition to print format, the
25 distribution or sale of such print or electronic opinions for

1 purposes of section 24-209 shall be directed by the Supreme Court.

2 Sec. 3. Section 24-212, Reissue Revised Statutes of
3 Nebraska, is amended to read:

4 24-212 ~~It~~ (1) Except as provided in subsection (2) of
5 this section, it shall be the duty of the Reporter of the Supreme
6 Court and Court of Appeals to prepare the opinions of the courts for
7 publication in advance pamphlet form as fast as they are delivered to
8 him or her, and when sufficient material is accumulated to form a
9 volume of not less than nine hundred pages, he or she shall cause the
10 same to be printed and bound in a permanent manner. The reporter
11 shall also determine, based on the number of current subscribers and
12 the provisions of section 24-209, the number of copies ~~to be printed~~
13 in print format for each publication of advance pamphlets and bound
14 volumes. Payments for such publications shall be made from the
15 Supreme Court Reports Cash Fund. The copyright of each volume shall
16 be entered by the reporter for the benefit of the state, and all
17 papers relating thereto shall be filed and recorded in the office of
18 the Secretary of State. The titles of the volumes shall be the
19 Nebraska Reports and the Nebraska Appellate Reports which with the
20 number of the volume shall be printed on the back of each volume, and
21 the reports of every case ~~must~~ should show the name of the judge
22 writing the opinion, the names of the judges concurring therein, and
23 the names of the judges, if any, dissenting from the opinion. The
24 reporter shall also edit and arrange for publication in the statutes
25 of Nebraska, at such times as the Revisor of Statutes may request,

1 annotations of the decisions of the Supreme Court of Nebraska, and
2 the decisions of the Court of Appeals designated for permanent
3 publication, ~~and the decisions of the federal courts~~ and transmit
4 them to the Revisor of Statutes. ~~With the approval of the Supreme~~
5 ~~Court, the reporter may arrange for microform reproduction of the~~
6 ~~published reports.~~

7 (2) In the alternative or in addition to subsection (1)
8 of this section, the opinions of the Supreme Court and Court of
9 Appeals may be published in electronic format in the manner and under
10 such title designated by the Supreme Court.

11 Sec. 4. Section 85-176, Reissue Revised Statutes of
12 Nebraska, is amended to read:

13 85-176 The following publications of the State of
14 Nebraska shall, as they are from time to time issued, be delivered by
15 the respective officer having custody thereof to the library of the
16 College of Law of the University of Nebraska:

17 ~~(1) Fifteen copies of the Nebraska Reports, fifteen~~
18 ~~copies of the Nebraska Appellate Reports, five~~ The opinions of the
19 Nebraska Supreme Court and Court of Appeals in either print or
20 electronic format, or both, as determined by the Supreme Court;

21 (2) Five copies of the Opinions of the Attorney General,
22 five copies of the Blue Book, and two copies each of the reports and
23 recommendations of the Judicial Council and of the reports and
24 recommendations of the Legislative Council;

25 ~~(2)-(3)~~ (3) Copies of the session laws and the journal of the

1 Legislature as provided in section 49-506;

2 ~~(3)~~(4) One copy each of the annual and biennial reports
3 of the state officers who are required by law to make an annual or
4 biennial report; and

5 ~~(4)~~(5) Statutes issued by the Supreme Court shall be
6 requisitioned by the librarian of the College of Law, allowing ten
7 copies for the library of the College of Law, five copies for the
8 Legal Aid Bureau and the editors and staff of the Nebraska Law
9 Review, one copy each for every full-time member of the law faculty,
10 and no more than fifteen copies for the university libraries, nonlaw
11 faculty, and administrative officers of the university combined.

12 Sec. 5. Section 85-177, Reissue Revised Statutes of
13 Nebraska, is amended to read:

14 85-177 In order to enable the library of the College of
15 Law to augment its collections, the librarian of the College of Law
16 of the University of Nebraska is authorized to requisition from the
17 respective officer having custody thereof up to one hundred copies of
18 the following state publications: Nebraska Reports, Nebraska
19 Appellate Reports, Legislative Journals, Session Laws, replacement
20 volumes and supplements to the Revised Statutes, and Opinions of the
21 Attorney General. The copies of the Legislative Journals and Session
22 Laws may be provided in print or electronic format as the Secretary
23 of State determines, upon recommendation by the Clerk of the
24 Legislature and approval of the Executive Board of the Legislative
25 Council. The opinions of the Supreme Court and Court of Appeals may

1 be provided in either print or electronic format, or both, as
2 determined by the Supreme Court.

3 Sec. 6. Original sections 24-107, 24-209, 24-212, 85-176,
4 and 85-177, Reissue Revised Statutes of Nebraska, are repealed.