

LEGISLATURE OF NEBRASKA
ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 265

Introduced by Campbell, 25.

Read first time January 14, 2015

Committee: Judiciary

1 A BILL FOR AN ACT relating to juveniles; to amend section 29-1926,
2 Reissue Revised Statutes of Nebraska, and sections 43-272.01,
3 43-285, 43-297.01, 43-2,108, 43-1301, 43-1302, 43-1303, 43-1304,
4 43-1308, 43-1309, 43-1313, 43-1318, 43-3001, and 43-4318, Revised
5 Statutes Cumulative Supplement, 2014; to change powers and duties
6 for guardians ad litem, the Office of Probation Administration, the
7 Foster Care Review Office, and the office of Inspector General of
8 Nebraska Child Welfare; to define terms; to provide for
9 confidentiality of certain information; to harmonize provisions; and
10 to repeal the original sections.

11 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 29-1926, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 29-1926 (1)(a) Upon request of the prosecuting or defense attorney
4 and upon a showing of compelling need, the court shall order the taking
5 of a videotape deposition of a child victim of or child witness to any
6 offense punishable as a felony. The deposition ordinarily shall be in
7 lieu of courtroom or in camera testimony by the child. If the court
8 orders a videotape deposition, the court shall:

9 (i) Designate the time and place for taking the deposition. The
10 deposition may be conducted in the courtroom, the judge's chambers, or
11 any other location suitable for videotaping;

12 (ii) Assure adequate time for the defense attorney to complete
13 discovery before taking the deposition; and

14 (iii) Preside over the taking of the videotape deposition in the
15 same manner as if the child were called as a witness for the prosecution
16 during the course of the trial.

17 (b) Unless otherwise required by the court, the deposition shall be
18 conducted in the presence of the prosecuting attorney, the defense
19 attorney, the defendant, and any other person deemed necessary by the
20 court, including the parent or guardian of the child victim or child
21 witness or a counselor or other person with whom the child is familiar.
22 Such parent, guardian, counselor, or other person shall be allowed to sit
23 with or near the child unless the court determines that such person would
24 be disruptive to the child's testimony.

25 (c) At any time subsequent to the taking of the original videotape
26 deposition and upon sufficient cause shown, the court shall order the
27 taking of additional videotape depositions to be admitted at the time of
28 the trial.

29 (d) If the child testifies at trial in person rather than by
30 videotape deposition, the taking of the child's testimony may, upon
31 request of the prosecuting attorney and upon a showing of compelling

1 need, be conducted in camera.

2 (e) Unless otherwise required by the court, the child shall testify
3 in the presence of the prosecuting attorney, the defense attorney, the
4 defendant, and any other person deemed necessary by the court, including
5 the parent or guardian of the child victim or child witness or a
6 counselor or other person with whom the child is familiar. Such parent,
7 guardian, counselor, or other person shall be allowed to sit with or near
8 the child unless the court determines that such person would be
9 disruptive to the child's testimony. Unless waived by the defendant, all
10 persons in the room shall be visible on camera except the camera
11 operator.

12 (f) If deemed necessary to preserve the constitutionality of the
13 child's testimony, the court may direct that during the testimony the
14 child shall at all times be in a position to see the defendant live or on
15 camera.

16 (g) For purposes of this section, child shall mean a person eleven
17 years of age or younger at the time the motion to take the deposition is
18 made or at the time of the taking of in camera testimony at trial.

19 (h) Nothing in this section shall restrict the court from conducting
20 the pretrial deposition or in camera proceedings in any manner deemed
21 likely to facilitate and preserve a child's testimony to the fullest
22 extent possible, consistent with the right to confrontation guaranteed in
23 the Sixth Amendment of the Constitution of the United States and Article
24 I, section 11, of the Nebraska Constitution. In deciding whether there is
25 a compelling need that child testimony accommodation is required by
26 pretrial videotape deposition, in camera live testimony, in camera
27 videotape testimony, or any other accommodation, the court shall make
28 particularized findings on the record of:

29 (i) The nature of the offense;

30 (ii) The significance of the child's testimony to the case;

31 (iii) The likelihood of obtaining the child's testimony without

1 modification of trial procedure or with a different modification
2 involving less substantial digression from trial procedure than the
3 modification under consideration;

4 (iv) The child's age;

5 (v) The child's psychological maturity and understanding; and

6 (vi) The nature, degree, and duration of potential injury to the
7 child from testifying.

8 (i) The court may order an independent examination by a psychologist
9 or psychiatrist if the defense attorney requests the opportunity to rebut
10 the showing of compelling need produced by the prosecuting attorney. Such
11 examination shall be conducted in the child's county of residence.

12 (j) After a finding of compelling need by the court, neither party
13 may call the child witness to testify as a live witness at the trial
14 before the jury unless that party demonstrates that the compelling need
15 no longer exists.

16 (k) Nothing in this section shall limit the right of access of the
17 media or the public to open court.

18 (l) Nothing in this section shall preclude discovery by the
19 defendant as set forth in section 29-1912.

20 (m) The Supreme Court may adopt and promulgate rules of procedure to
21 administer this section, which rules shall not be in conflict with laws
22 governing such matters.

23 (2)(a) No custodian of a videotape of a child victim or child
24 witness alleging, explaining, denying, or describing an act of sexual
25 assault pursuant to section 28-319, 28-319.01, or 28-320.01 or child
26 abuse pursuant to section 28-707 as part of an investigation or
27 evaluation of the abuse or assault shall release or use a videotape or
28 copies of a videotape or consent, by commission or omission, to the
29 release or use of a videotape or copies of a videotape to or by any other
30 party without a court order, notwithstanding the fact that the child
31 victim or child witness has consented to the release or use of the

1 videotape or that the release or use is authorized under law, except as
2 provided in section 28-730 or pursuant to an investigation under the
3 Office of Inspector General of Nebraska Child Welfare Act. Any custodian
4 may release or consent to the release or use of a videotape or copies of
5 a videotape to law enforcement agencies or agencies authorized to
6 prosecute such abuse or assault cases on behalf of the state.

7 (b) The court order may govern the purposes for which the videotape
8 may be used, the reproduction of the videotape, the release of the
9 videotape to other persons, the retention and return of copies of the
10 videotape, and any other requirements reasonably necessary for the
11 protection of the privacy and best interests of the child victim or child
12 witness.

13 (c) Pursuant to section 29-1912, the defendant described in the
14 videotape may petition the district court in the county where the alleged
15 offense took place or where the custodian of the videotape resides for an
16 order releasing to the defendant a copy of the videotape.

17 (d) Any person who releases or uses a videotape except as provided
18 in this section shall be guilty of a Class I misdemeanor.

19 Sec. 2. Section 43-272.01, Revised Statutes Cumulative Supplement,
20 2014, is amended to read:

21 43-272.01 (1) A guardian ad litem as provided for in subsections (2)
22 and (3) of section 43-272 shall be appointed when a child is removed from
23 his or her surroundings pursuant to subdivision (2) or (3) of section
24 43-248, subsection (2) of section 43-250, or section 43-251. If removal
25 has not occurred, a guardian ad litem shall be appointed at the
26 commencement of all cases brought under subdivision (3)(a) or (7) of
27 section 43-247 and section 28-707.

28 (2) In the course of discharging duties as guardian ad litem, the
29 person so appointed shall consider, but not be limited to, the criteria
30 provided in this subsection. The guardian ad litem:

31 (a) Is appointed to stand in lieu of a parent for a protected

1 juvenile who is the subject of a juvenile court petition, shall be
2 present at all hearings before the court in such matter unless expressly
3 excused by the court, and may enter into such stipulations and agreements
4 concerning adjudication and disposition deemed by him or her to be in the
5 juvenile's best interests;

6 (b) Is not appointed to defend the parents or other custodian of the
7 protected juvenile but shall defend the legal and social interests of
8 such juvenile. Social interests shall be defined generally as the usual
9 and reasonable expectations of society for the appropriate parental
10 custody and protection and quality of life for juveniles without regard
11 to the socioeconomic status of the parents or other custodians of the
12 juvenile;

13 (c) May at any time after the filing of the petition move the court
14 of jurisdiction to provide medical or psychological treatment or
15 evaluation as set out in section 43-258. The guardian ad litem shall have
16 access to all reports resulting from any examination ordered under
17 section 43-258, and such reports shall be used for evaluating the status
18 of the protected juvenile;

19 (d) Shall make every reasonable effort to become familiar with the
20 needs of the protected juvenile which (i) shall include consultation with
21 the juvenile in his or her respective placement within two weeks after
22 the appointment and once every three ~~six~~ months thereafter and inquiry of
23 the most current caseworker, foster parent, or other custodian, unless
24 the court approves other forms of consultation, and (ii) may include
25 inquiry of others directly involved with the juvenile or who may have
26 information or knowledge about the circumstances which brought the
27 juvenile court action or related cases and the development of the
28 juvenile, including biological parents, physicians, psychologists,
29 teachers, and clergy members;

30 (e) May present evidence and witnesses and cross-examine witnesses
31 at all evidentiary hearings. In any proceeding under this section

1 relating to a child of school age, certified copies of school records
2 relating to attendance and academic progress of such child are admissible
3 in evidence;

4 (f) Shall be responsible for making written reports and
5 recommendations to the court at every dispositional, review, or
6 permanency planning hearing regarding the temporary and permanent
7 placement of the protected juvenile, the type and number of contacts with
8 the juvenile, the type and number of contacts with other relevant
9 stakeholders, and any further relevant information on a form prepared by
10 the Supreme Court. A copy of the written reports and recommendations to
11 the court shall also be submitted to the Foster Care Review Office for
12 any juvenile in foster care placement as defined in section 43-1301 and
13 ~~shall submit a written report to the court at every dispositional or~~
14 ~~review hearing, or in the alternative, the court may provide the guardian~~
15 ~~ad litem with a checklist that shall be completed and presented to the~~
16 ~~court at every dispositional or review hearing;~~

17 (g) Shall consider such other information as is warranted by the
18 nature and circumstances of a particular case; and

19 (h) May file a petition in the juvenile court on behalf of the
20 juvenile, including a supplemental petition as provided in section
21 43-291.

22 (3) Nothing in this section shall operate to limit the discretion of
23 the juvenile court in protecting the best interests of a juvenile who is
24 the subject of a juvenile court petition.

25 (4) For purposes of subdivision (2)(d) of this section, the court
26 may order the expense of such consultation, if any, to be paid by the
27 county in which the juvenile court action is brought or the court may,
28 after notice and hearing, assess the cost of such consultation, if any,
29 in whole or in part to the parents of the juvenile. The ability of the
30 parents to pay and the amount of the payment shall be determined by the
31 court by appropriate examination.

1 Sec. 3. Section 43-285, Revised Statutes Cumulative Supplement,
2 2014, is amended to read:

3 43-285 (1) When the court awards a juvenile to the care of the
4 Department of Health and Human Services, an association, or an individual
5 in accordance with the Nebraska Juvenile Code, the juvenile shall, unless
6 otherwise ordered, become a ward and be subject to the legal custody and
7 care of the department, association, or individual to whose care he or
8 she is committed. Any such association and the department shall have
9 authority, by and with the assent of the court, to determine the care,
10 placement, medical services, psychiatric services, training, and
11 expenditures on behalf of each juvenile committed to it. Any such
12 association and the department shall be responsible for applying for any
13 health insurance available to the juvenile, including, but not limited
14 to, medical assistance under the Medical Assistance Act. Such custody and
15 care shall not include the guardianship of any estate of the juvenile.

16 (2) Following an adjudication hearing at which a juvenile is
17 adjudged to be under subdivision (3)(a) or (c) of section 43-247, the
18 court may order the department to prepare and file with the court a
19 proposed plan for the care, placement, services, and permanency which are
20 to be provided to such juvenile and his or her family. The health and
21 safety of the juvenile shall be the paramount concern in the proposed
22 plan. The department shall include in the plan for a juvenile who is
23 sixteen years of age or older and subject to the legal care and custody
24 of the department a written independent living transition proposal which
25 meets the requirements of section 43-1311.03 and, for eligible juveniles,
26 the Young Adult Bridge to Independence Act. The juvenile court shall
27 provide a copy of the plan to all interested parties before the hearing.
28 The court may approve the plan, modify the plan, order that an
29 alternative plan be developed, or implement another plan that is in the
30 juvenile's best interests. In its order the court shall include a finding
31 regarding the appropriateness of the programs and services described in

1 the proposal designed to assist the juvenile in acquiring independent
2 living skills. Rules of evidence shall not apply at the dispositional
3 hearing when the court considers the plan that has been presented.

4 (3) Within thirty days after an order awarding a juvenile to the
5 care of the department, an association, or an individual and until the
6 juvenile reaches the age of majority, the department, association, or
7 individual shall file with the court a report stating the location of the
8 juvenile's placement and the needs of the juvenile in order to effectuate
9 the purposes of subdivision (1) of section 43-246. The department,
10 association, or individual shall file a report with the court once every
11 six months or at shorter intervals if ordered by the court or deemed
12 appropriate by the department, association, or individual. Every six
13 months, the report shall provide an updated statement regarding the
14 eligibility of the juvenile for health insurance, including, but not
15 limited to, medical assistance under the Medical Assistance Act. The
16 department, association, or individual shall file a report and notice of
17 placement change with the court and shall send copies of the notice to
18 all interested parties at least seven days before the placement of the
19 juvenile is changed from what the court originally considered to be a
20 suitable family home or institution to some other custodial situation in
21 order to effectuate the purposes of subdivision (1) of section 43-246.
22 The court, on its own motion or upon the filing of an objection to the
23 change by an interested party, may order a hearing to review such a
24 change in placement and may order that the change be stayed until the
25 completion of the hearing. Nothing in this section shall prevent the
26 court on an ex parte basis from approving an immediate change in
27 placement upon good cause shown. The department may make an immediate
28 change in placement without court approval only if the juvenile is in a
29 harmful or dangerous situation or when the foster parents request that
30 the juvenile be removed from their home. Approval of the court shall be
31 sought within twenty-four hours after making the change in placement or

1 as soon thereafter as possible. The department shall provide the
2 juvenile's guardian ad litem with a copy of any report filed with the
3 court by the department pursuant to this subsection.

4 (4) The court shall also hold a permanency hearing if required under
5 section 43-1312.

6 (5) When the court awards a juvenile to the care of the department,
7 an association, or an individual, then the department, association, or
8 individual shall have standing as a party to file any pleading or motion,
9 to be heard by the court with regard to such filings, and to be granted
10 any review or relief requested in such filings consistent with the
11 Nebraska Juvenile Code.

12 (6) Whenever a juvenile is in a foster care placement as defined in
13 section 43-1301, the Foster Care Review Office or the designated local
14 foster care review board may participate in proceedings concerning the
15 juvenile as provided in section 43-1313 and notice shall be given as
16 provided in section 43-1314.

17 (7) Any written findings or recommendations of the Foster Care
18 Review Office or the designated local foster care review board with
19 regard to a juvenile in a foster care placement submitted to a court
20 having jurisdiction over such juvenile shall be admitted into evidence
21 without being offered by any party of record ~~admissible~~ in any proceeding
22 concerning such juvenile if such findings or recommendations have been
23 provided to all other parties of record.

24 (8) The executive director and any agent or employee of the Foster
25 Care Review Office or any member of any local foster care review board
26 participating in an investigation or making any report pursuant to the
27 Foster Care Review Act or participating in a judicial proceeding pursuant
28 to this section shall be immune from any civil liability that would
29 otherwise be incurred except for false statements negligently made.

30 Sec. 4. Section 43-297.01, Revised Statutes Cumulative Supplement,
31 2014, is amended to read:

1 43-297.01 (1) Following an adjudication, whenever any juvenile is
2 placed on juvenile probation subject to the supervision of a probation
3 officer, the Office of Probation Administration is deemed to have
4 placement and care responsibility for the juvenile.

5 (2) The court shall order the initial placement and level of care
6 for the juvenile placed on juvenile probation. Prior to determining the
7 placement and level of care for a juvenile, the court may solicit a
8 recommendation from the Office of Probation Administration. The status of
9 each juvenile placed out-of-home shall be reviewed periodically, but not
10 less than once every six months by the court in person, by video, or
11 telephonically. Periodic reviews shall assess the juvenile's safety and
12 the continued necessity and appropriateness of placement, ensure case
13 plan compliance, and monitor the juvenile's progress. The court shall
14 determine whether an out-of-home placement made by the office is in the
15 best interests of the juvenile. The office shall provide all interested
16 parties with a copy of any report filed with the court by the office
17 pursuant to this subsection.

18 (3) The Office of Probation Administration may transition a juvenile
19 to a less restrictive placement or to a placement which has the same
20 level of restriction as the current placement. In order to make a
21 placement change under this section, the office shall file a notice of
22 placement change with the court and shall send copies of the notice to
23 all interested parties at least seven days before the change of
24 placement. The court, on its own motion, or upon the filing of an
25 objection to the change by an interested party, may order a hearing to
26 review such a change in placement and may order that the change be stayed
27 pending the outcome of the hearing on the objection.

28 (4) The Office of Probation Administration may make an immediate
29 change in placement without court approval only if the juvenile is in a
30 harmful or dangerous situation. Approval of the court shall be sought
31 within twenty-four hours after making the change in placement or as soon

1 thereafter as possible. The office shall provide all interested parties
2 with a copy of any report filed with the court by the office pursuant to
3 this subsection.

4 (5) Whenever the Office of Probation Administration places a
5 juvenile in a foster care placement as defined in section 43-1301, the
6 Foster Care Review Office or designated local foster care review board
7 may participate in proceedings concerning the juvenile as provided in
8 section 43-1313 and notice shall be given as provided in section 43-1314.

9 (6) Any written findings or recommendations of the Foster Care
10 Review Office or the designated local foster care review board with
11 regard to a juvenile in a foster care placement submitted to a court
12 having jurisdiction over such juvenile shall be admitted into evidence
13 without being offered by any party of record in any proceeding concerning
14 such juvenile if such findings or recommendations have been provided to
15 all other parties of record.

16 (7) The executive director and any agent or employee of the Foster
17 Care Review Office or any member of any local foster care review board
18 participating in an investigation or making any report pursuant to the
19 Foster Care Review Act or participating in a judicial proceeding pursuant
20 to this section shall be immune from any civil liability that would
21 otherwise be incurred except for false statements negligently made.

22 (8 5) Nothing in this section prevents the court on an ex parte
23 basis from approving an immediate change in placement upon good cause
24 shown.

25 Sec. 5. Section 43-2,108, Revised Statutes Cumulative Supplement,
26 2014, is amended to read:

27 43-2,108 (1) The juvenile court judge shall keep a minute book in
28 which he or she shall enter minutes of all proceedings of the court in
29 each case, including appearances, findings, orders, decrees, and
30 judgments, and any evidence which he or she feels it is necessary and
31 proper to record. Juvenile court legal records shall be deposited in

1 files and shall include the petition, summons, notice, certificates or
2 receipts of mailing, minutes of the court, findings, orders, decrees,
3 judgments, and motions.

4 (2) Except as provided in subsections (3), ~~and (4), and (5)~~ of this
5 section, the medical, psychological, psychiatric, and social welfare
6 reports and the records of juvenile probation officers as they relate to
7 individual proceedings in the juvenile court shall not be open to
8 inspection, without order of the court. Such records shall be made
9 available to a district court of this state or the District Court of the
10 United States on the order of a judge thereof for the confidential use of
11 such judge or his or her probation officer as to matters pending before
12 such court but shall not be made available to parties or their counsel;
13 and such district court records shall be made available to a county court
14 or separate juvenile court upon request of the county judge or separate
15 juvenile judge for the confidential use of such judge and his or her
16 probation officer as to matters pending before such court, but shall not
17 be made available by such judge to the parties or their counsel.

18 (3) As used in this section ~~subsection~~, confidential record
19 information means ~~shall mean~~ all docket records, other than the
20 pleadings, orders, decrees, and judgments; case files and records;
21 reports and records of probation officers; and information supplied to
22 the court of jurisdiction in such cases by any individual or any public
23 or private institution, agency, facility, or clinic, which is compiled
24 by, produced by, and in the possession of any court. In all cases under
25 subdivision (3)(a) of section 43-247, access to all confidential record
26 information in such cases shall be granted only as follows: (a) The court
27 of jurisdiction may, subject to applicable federal and state regulations,
28 disseminate such confidential record information to any individual, or
29 public or private agency, institution, facility, or clinic which is
30 providing services directly to the juvenile and such juvenile's parents
31 or guardian and his or her immediate family who are the subject of such

1 record information; (b) the court of jurisdiction may disseminate such
2 confidential record information, with the consent of persons who are
3 subjects of such information, or by order of such court after showing of
4 good cause, to any law enforcement agency upon such agency's specific
5 request for such agency's exclusive use in the investigation of any
6 protective service case or investigation of allegations under subdivision
7 (3)(a) of section 43-247, regarding the juvenile or such juvenile's
8 immediate family, who are the subject of such investigation; and (c) the
9 court of jurisdiction may disseminate such confidential record
10 information to any court, which has jurisdiction of the juvenile who is
11 the subject of such information upon such court's request.

12 (4) The court shall provide copies of predispositional reports and
13 evaluations of the juvenile to the juvenile's attorney and the county
14 attorney or city attorney prior to any hearing in which the report or
15 evaluation will be relied upon.

16 (5) In all cases under sections 43-246.01 and 43-247 the court or
17 the probation officer shall disseminate confidential record information
18 to (a) the office of Inspector General of Nebraska Child Welfare upon
19 request for the exclusive use in an investigation pursuant to the Office
20 of Inspector General of Nebraska Child Welfare Act and (b) the Foster
21 Care Review Office pursuant to the Foster Care Review Act. Nothing in
22 this subsection shall prevent the notification of death or serious injury
23 of a juvenile to the Inspector General of Nebraska Child Welfare pursuant
24 to section 43-4318 as soon as reasonably possible after the Office of
25 Probation Administration learns of such death or serious injury.

26 (~~6~~ 5) Nothing in subsections ~~subsection~~ (3) and (5) of this section
27 shall be construed to restrict the dissemination of confidential record
28 information between any individual or public or private agency,
29 institute, facility, or clinic, except any such confidential record
30 information disseminated by the court of jurisdiction pursuant to this
31 section shall be for the exclusive and private use of those to whom it

1 was released and shall not be disseminated further without order of such
2 court.

3 (7 6)(a) Any records concerning a juvenile court petition filed
4 pursuant to subdivision (3)(c) of section 43-247 shall remain
5 confidential except as may be provided otherwise by law. Such records
6 shall be accessible to (i) the juvenile except as provided in subdivision
7 (b) of this subsection, (ii) the juvenile's counsel, (iii) the juvenile's
8 parent or guardian, and (iv) persons authorized by an order of a judge or
9 court.

10 (b) Upon application by the county attorney or by the director of
11 the facility where the juvenile is placed and upon a showing of good
12 cause therefor, a judge of the juvenile court having jurisdiction over
13 the juvenile or of the county where the facility is located may order
14 that the records shall not be made available to the juvenile if, in the
15 judgment of the court, the availability of such records to the juvenile
16 will adversely affect the juvenile's mental state and the treatment
17 thereof.

18 Sec. 6. Section 43-1301, Revised Statutes Cumulative Supplement,
19 2014, is amended to read:

20 43-1301 For purposes of the Foster Care Review Act, unless the
21 context otherwise requires:

22 (1) Local board means a local foster care review board created
23 pursuant to section 43-1304;

24 (2) Office means the Foster Care Review Office created pursuant to
25 section 43-1302;

26 (3) Foster care facility means any foster family home as defined in
27 section 71-1901, residential child-caring agency as defined in section
28 71-1926, public agency, private agency, or any other person or entity
29 receiving and caring for foster children;

30 (4) Foster care placements means (a) all types of placements of
31 juveniles described in sections 43-245 and section 43-247, (b) all types

1 of placements of neglected, dependent, or delinquent children, including
2 those made directly by the Department of Health and Human Services or the
3 Office of Probation Administration, by parents, or by third parties, (c)
4 and placements of children who have been voluntarily relinquished
5 pursuant to section 43-106.01 to the department Department of Health and
6 Human Services or any child-placing agency as defined in section 71-1926
7 licensed by the department, and (d) all types of placements that are
8 considered to be a trial home visit, including those made directly by the
9 department or office Department of Health and Human Services;

10 (5) Person or court in charge of the child means (a) the Department
11 of Health and Human Services, an association, or an individual who has
12 been made the guardian of a neglected, dependent, or delinquent child by
13 the court and has the responsibility of the care of the child and has the
14 authority by and with the assent of the court to place such a child in a
15 suitable family home or institution or has been entrusted with the care
16 of the child by a voluntary placement made by a parent or legal guardian,
17 (b) the court which has jurisdiction over the child, ~~or~~ (c) the entity
18 having jurisdiction over the child pursuant to the Nebraska Indian Child
19 Welfare Act, or (d) the Office of Probation Administration;

20 (6) Voluntary placement means the placement by a parent or legal
21 guardian who relinquishes the possession and care of a child to a third
22 party, individual, or agency;

23 (7) Family unit means the social unit consisting of the foster child
24 and the parent or parents or any person in the relationship of a parent,
25 including a grandparent, and any siblings with whom the foster child
26 legally resided prior to placement in foster care, except that for
27 purposes of potential sibling placement, the child's family unit also
28 includes the child's siblings even if the child has not resided with such
29 siblings prior to placement in foster care;

30 (8) Residential child-caring agency has the definition found in
31 section 71-1926;

1 (9) Child-placing agency has the definition found in section
2 71-1926; ~~and~~

3 (10) Siblings means biological siblings and legal siblings,
4 including, but not limited to, half-siblings and stepsiblings; ~~and -~~

5 (11) Trial home visit means a court-involved juvenile that goes from
6 a foster care placement back to his or her legal parent or parents or
7 guardian but remains as a ward of the state or a ward of the court for a
8 period not exceeding six months.

9 Sec. 7. Section 43-1302, Revised Statutes Cumulative Supplement,
10 2014, is amended to read:

11 43-1302 (1)~~(a)~~ The Foster Care Review Office is hereby established.
12 The purpose of the office is to provide information and direct reporting
13 to the courts, the Department of Health and Human Services, the Office of
14 Probation Administration, and the Legislature regarding the foster care
15 system in Nebraska; to provide oversight of the foster care system; and
16 to make recommendations regarding foster care policy to the Legislature.
17 The executive director of the Foster Care Review Office ~~office~~ shall
18 provide information and reporting services, provide analysis of
19 information obtained, and oversee foster care file audit case reviews and
20 tracking of cases of children in the foster care system. The executive
21 director of the office shall, through information analysis and with the
22 assistance of the Foster Care Advisory Committee, (i) determine key
23 issues of the foster care system and ways to resolve the issues and to
24 otherwise improve the system and (ii) make policy recommendations.

25 ~~(b) All equipment and effects of the State Foster Care Review Board~~
26 ~~on July 1, 2012, shall be transferred to the Foster Care Review Office,~~
27 ~~and all staff of the board, except the executive director and interim~~
28 ~~executive director, shall be transferred to the office. The State Foster~~
29 ~~Care Review Board shall terminate on July 1, 2012. Beginning on July 1,~~
30 ~~2012, the data coordinator of the board, as such position existed prior~~
31 ~~to such date, shall serve as the executive director of the office until~~

1 ~~the Foster Care Advisory Committee hires an executive director as~~
2 ~~prescribed by this section. It is the intent of the Legislature that the~~
3 ~~staff of the board employed prior to July 1, 2012, shall continue to be~~
4 ~~employed by the office until such time as the executive director is hired~~
5 ~~by the committee.~~

6 ~~(c) It is the intent of the Legislature that the funds appropriated~~
7 ~~to the State Foster Care Review Board be transferred to the Foster Care~~
8 ~~Review Office for FY2012-13.~~

9 (2)(a) The Foster Care Advisory Committee is created. The committee
10 shall have five members appointed by the Governor. The members shall have
11 no pecuniary interest in the foster care system and shall not be employed
12 by the office, the Department of Health and Human Services, a county, a
13 residential child-caring agency, a child-placing agency, or a court.

14 (b) The Governor shall appoint three members from a list of twelve
15 local board members submitted by the Health and Human Services Committee
16 of the Legislature, one member from a list of four persons with data
17 analysis experience submitted by the Health and Human Services Committee
18 of the Legislature, and one member from a list of four persons who are
19 residents of the state and are representative of the public at large
20 submitted by the Health and Human Services Committee of the Legislature.
21 The Health and Human Services Committee of the Legislature shall hold a
22 confirmation hearing for the appointees, and the appointments shall be
23 subject to confirmation by the Legislature, except that the initial
24 members and members appointed while the Legislature is not in session
25 shall serve until the next session of the Legislature, at which time a
26 majority of the members of the Legislature shall approve or disapprove of
27 the appointments.

28 (c) The terms of the members shall be for three years, except that
29 the Governor shall designate two of the initial appointees to serve
30 initial terms ending on March 1, 2014, and three of the initial
31 appointees to serve initial terms ending on March 1, 2015. The Governor

1 shall make the initial appointments within thirty days after July 1,
2 2012. Members shall not serve more than two consecutive terms, except
3 that members shall serve until their successors have been appointed and
4 qualified. The Governor shall appoint members to fill vacancies in the
5 same manner as the original appointments to serve for the remainder of
6 the unexpired term.

7 (d) The Foster Care Advisory Committee shall meet at least four
8 times each calendar year. Each member shall attend at least two meetings
9 each calendar year and shall be subject to removal for failure to attend
10 at least two meetings unless excused by a majority of the members of the
11 committee. Members shall be reimbursed for their actual and necessary
12 expenses as provided in sections 81-1174 to 81-1177.

13 (e) The duties of the Foster Care Advisory Committee are to:

14 (i) Hire and fire an executive director for the office who has
15 training and experience in foster care; and

16 (ii) Support and facilitate the work of the office, including the
17 tracking of children in foster care and reviewing foster care file audit
18 case reviews.

19 (3) The executive director of the office shall hire, fire, and
20 supervise office staff and shall be responsible for the duties of the
21 office as provided by law, including the annual report and other
22 reporting, review, tracking, data collection and analysis, and oversight
23 and training of local boards.

24 Sec. 8. Section 43-1303, Revised Statutes Cumulative Supplement,
25 2014, is amended to read:

26 43-1303 (1) The office shall maintain the statewide register of all
27 foster care placements occurring within the state, and there shall be a
28 weekly ~~monthly~~ report made to the registry of all foster care placements
29 by the Department of Health and Human Services, the Office of Probation
30 Administration, any child-placing agency, or any court in a form as
31 developed by the Foster Care Review Office ~~office~~ in consultation with

1 representatives of entities required to make such reports. For each child
2 entering and leaving foster care, such ~~monthly~~ report shall consist of
3 identifying information, placement information, and the plan or
4 permanency plan developed by the person or court in charge of the child
5 pursuant to section 43-1312. The department, Office of Probation
6 Administration, and every court and child-placing agency shall report any
7 foster care placement within three working days. The report shall contain
8 the following information:

9 (a) Child identification information, including name, ~~social~~
10 ~~security number~~, date of birth, gender, race, ~~and religion~~, and
11 ethnicity;

12 (b) Identification information for parents and stepparents,
13 including name, ~~social security number~~, address, gender, and status of
14 parental rights;

15 (c) Placement information, including initial placement date, current
16 placement date, and the name and address of the foster care placement
17 provider;

18 (d) Court status information, including which court has
19 jurisdiction, initial custody date, court hearing date, and results of
20 the court hearing;

21 (e) Agency or other entity having custody of the child; and

22 (f) Case worker, probation officer, or person providing direct case
23 management or supervision functions. ; ~~and~~

24 ~~(g) Permanency plan objective.~~

25 (2)(a) The Foster Care Review Office ~~office~~ shall designate a local
26 board to conduct foster care file audit case reviews for each case of
27 children in foster care placement.

28 (b) The office may adopt and promulgate rules and regulations for
29 the following:

30 (i) Establishment of training programs for local board members which
31 shall include an initial training program and periodic inservice training

1 programs;

2 (ii) Development of procedures for local boards;

3 (iii) Establishment of a central record-keeping facility for all
4 local board files, including foster care file audit case reviews;

5 (iv) Accumulation of data and the making of annual reports on
6 children in foster care placements. Such reports shall include, but not
7 be limited to, (A) personal data on length of time in foster care, (B)
8 number of placements, (C) frequency and results of foster care file audit
9 case reviews and court review hearings, (D) number of children supervised
10 by the foster care programs in the state annually, (E) trend data
11 impacting foster care, services, and placements, (F) analysis of the
12 data, and (G) recommendations for improving the foster care system in
13 Nebraska;

14 (v) Accumulation of data and making of quarterly reports regarding
15 the children in foster care placements;

16 (vi v) To the extent not prohibited by section 43-1310, evaluation
17 of the judicial and administrative data collected on foster care and the
18 dissemination of such data to the judiciary, public and private agencies,
19 the department, and members of the public; and

20 (vii vi) Manner in which the office shall determine the
21 appropriateness of requesting a court review hearing as provided for in
22 section 43-1313.

23 (3) A local board shall send a written report to the office for each
24 foster care file audit case review conducted by the local board. A court
25 shall send a written report to the office for each foster care review
26 hearing conducted by the court.

27 (4) The office shall report and make recommendations to the
28 Legislature, the department, the Office of Probation Administration, the
29 courts, local boards, and county welfare offices. Such reports and
30 recommendations shall include, but not be limited to, the annual judicial
31 and administrative data collected on foster care pursuant to subsections

1 (2) and (3) of this section and the annual evaluation of such data. The
2 report and recommendations submitted to the Legislature shall be
3 submitted electronically. In addition, the Foster Care Review Office
4 ~~office~~ shall provide copies of such reports and recommendations to each
5 court having the authority to make foster care placements. ~~The executive~~
6 ~~director of the office or his or her designees from the office may visit~~
7 ~~and observe foster care facilities in order to ascertain whether the~~
8 ~~individual physical, psychological, and sociological needs of each foster~~
9 ~~child are being met.~~ The executive director shall also provide, at a time
10 specified by the Health and Human Services Committee of the Legislature,
11 regular electronic updates regarding child welfare data and information
12 at least quarterly, and a fourth-quarter report which shall be the annual
13 report. The executive director shall include issues, policy concerns, and
14 problems which have come to the office and the executive director from
15 analysis of the data. The executive director shall recommend alternatives
16 to the identified problems and related needs of the office and the foster
17 care system to the committee. The Health and Human Services Committee
18 shall coordinate and prioritize data and information requests submitted
19 to the office by members of the Legislature. The annual report of the
20 office shall be completed by December 1 each year, beginning December 1,
21 2012, and shall be submitted electronically to the committee.

22 (5) The executive director of the office or his or her designees
23 from the office may visit and observe foster care facilities in order to
24 ascertain whether the individual physical, psychological, and
25 sociological needs of each foster child are being met.

26 Sec. 9. Section 43-1304, Revised Statutes Cumulative Supplement,
27 2014, is amended to read:

28 43-1304 There shall be local foster care review boards to conduct
29 the foster care file audit case reviews of children in foster care
30 placement and carry out other powers and duties given to such boards
31 under the Foster Care Review Act. ~~Members of local boards serving on July~~

1 ~~1, 2012, shall continue to serve the unexpired portion of their terms.~~
2 The executive director of the office shall select members to serve on
3 local boards from a list of applications submitted to the office. Each
4 local board shall consist of not less than four and not more than ten
5 members as determined by the executive director. The members of the local
6 board shall reasonably represent the various social, economic, racial,
7 and ethnic groups of the county or counties from which its members may be
8 appointed. A person employed by the office, the Department of Health and
9 Human Services, a residential child-caring agency, a child-placing
10 agency, or a court shall not be appointed to a local board. A list of the
11 members of each local board shall be sent to the department and the
12 Office of Probation Administration.

13 Sec. 10. Section 43-1308, Revised Statutes Cumulative Supplement,
14 2014, is amended to read:

15 43-1308 (1) Except as otherwise provided in the Nebraska Indian
16 Child Welfare Act, the designated local board shall:

17 (a) Conduct a foster care file audit case review at least once every
18 six months for the case of each child in a foster care placement to
19 determine what efforts have been made to carry out the plan or permanency
20 plan for rehabilitation of the foster child and family unit or for
21 permanent placement of such child pursuant to section 43-1312;

22 (b) Submit to the court having jurisdiction over such child for the
23 purposes of foster care placement, within thirty days after the foster
24 care file audit case review, its findings and recommendations regarding
25 the efforts and progress made to carry out the plan or permanency plan
26 established pursuant to section 43-1312 together with any other
27 recommendations it chooses to make regarding the child. The findings and
28 recommendations shall include whether there is a need for continued out-
29 of-home placement, whether the current placement is safe and appropriate,
30 the specific reasons for the findings and recommendations, including
31 factors, opinions, and rationale considered in the foster care file audit

1 case review, whether the grounds for termination of parental rights under
2 section 43-292 appear to exist, and the date of the next foster care file
3 audit case review by the designated local board;

4 (c) If the return of the child to his or her parents is not likely,
5 recommend referral for adoption and termination of parental rights,
6 guardianship, placement with a relative, or, as a last resort, another
7 planned, permanent living arrangement; and

8 (d) Promote and encourage stability and continuity in foster care by
9 discouraging unnecessary changes in the placement of foster children and
10 by encouraging the recruitment of foster parents who may be eligible as
11 adoptive parents.

12 (2) When the office or designated local board determines that the
13 interests of a child in a foster care placement would be served thereby,
14 the office or designated local board may request a court review hearing
15 as provided for in section 43-1313.

16 (3) Due to the confidential and protected nature of child-specific
17 and family-specific information regarding mental and behavioral health
18 services, if such information is discussed at a local board meeting or a
19 portion of a meeting, any local board meeting or portion of a meeting at
20 which such information is discussed shall be exempt from the Open
21 Meetings Act.

22 Sec. 11. Section 43-1309, Revised Statutes Cumulative Supplement,
23 2014, is amended to read:

24 43-1309 Upon the request of the office or designated local board,
25 any records pertaining to a case assigned to such local board shall be
26 furnished to the office or designated local board by the Department of
27 Health and Human Services or Office of Probation Administration , ~~or upon~~
28 ~~the request of the Department of Health and Human Services, any records~~
29 ~~pertaining to a case assigned to the department, shall be furnished to~~
30 ~~the office or designated local board or department by the agency charged~~
31 ~~with the child or any public official or employee of a political~~

1 subdivision having relevant contact with the child. Upon the request of
2 the Foster Care Review Office office or designated local board, and if
3 such information is not obtainable elsewhere, the court having
4 jurisdiction of the foster child shall release such information to the
5 office or designated local board as the court deems necessary to
6 determine the physical, psychological, and sociological circumstances of
7 such foster child.

8 Sec. 12. Section 43-1313, Revised Statutes Cumulative Supplement,
9 2014, is amended to read:

10 43-1313 When a child is in foster care placement, the court having
11 jurisdiction over such child for the purposes of foster care placement
12 shall review the dispositional order for such child at least once every
13 six months. The court may reaffirm the order or direct other disposition
14 of the child. Any review hearing by a court having jurisdiction over such
15 child for purposes of foster care placement shall be conducted on the
16 record as provided in sections 43-283 and 43-284, and any recommendations
17 of the office or designated local board concerning such child shall be
18 admitted into evidence without being offered by any party of record
19 ~~included in the record~~. The court shall review a case on the record more
20 often than every six months and at any time following the original
21 placement of the child if the office or local board requests a hearing in
22 writing specifying the reasons for the review. Members of the office or
23 local board or its designated representative may attend and be heard at
24 any hearing conducted under this section and may participate through
25 counsel at the hearing with the right to call and cross-examine witnesses
26 and present arguments to the court.

27 Sec. 13. (1) It is the intent of the Legislature to establish an
28 independent external oversight data warehouse and analysis pilot project
29 within the office. The purpose of the pilot project is to determine
30 whether policy outcomes meet the well-being outcomes for juvenile and
31 child-welfare involved children in out-of-home placements in order to:

1 (a) Identify outcomes for policymakers to make systemic decisions
2 based on data in order to improve the child welfare and juvenile justice
3 systems;

4 (b) Track individual children and families within the system no
5 matter how they came into the system;

6 (c) Pinpoint indicators for success and determine whether children
7 are better off after an out-of-home placement; and

8 (d) Use data to predict future needs for children and families
9 across the state.

10 (2) A child welfare and juvenile justice data warehouse shall be
11 created within the office for the purpose of identifying, tracking, and
12 analyzing children in out-of-home placement. All pertinent data systems
13 shall be utilized. The following agency data systems shall provide data
14 extracts and any other information and data to the office regarding out-
15 of-home placement of children upon request:

16 (a) Supreme Court;

17 (b) Office of Probation Administration;

18 (c) Division of Children and Family Services of the Department of
19 Health and Human Services;

20 (d) Division of Developmental Disabilities of the Department of
21 Health and Human Services;

22 (e) Division of Behavioral Health of the Department of Health and
23 Human Services;

24 (f) Division of Medicaid and Long-Term Care of the Department of
25 Health and Human Services;

26 (g) Nebraska Commission on Law Enforcement and Criminal Justice; and

27 (h) State Department of Education.

28 (3) A subject-matter advisory group shall be created in order to
29 formulate what initial indicators should be analyzed, what corresponding
30 factors should be compared, and further ways to identify system
31 indicators. The advisory group shall consist of, but not be limited to, a

1 representative from the office of Inspector General of Nebraska Child
2 Welfare, Division of Children and Family Services of the Department of
3 Health and Human Services, Division of Developmental Disabilities of the
4 Department of Health and Human Services, Division of Behavioral Health of
5 the Department of Health and Human Services, Division of Medicaid and
6 Long-Term Care of the Department of Health and Human Services, State
7 Court Administrator's office, Office of Probation Administration, State
8 Department of Education, and Nebraska Commission on Law Enforcement and
9 Criminal Justice.

10 (4) The Foster Care Review Office shall keep all individual data
11 confidential. Data reports to the advisory group or to the public shall
12 be reported in the aggregate and not on an individual basis.

13 (5) A report shall be submitted electronically by the advisory group
14 to the Legislature by December 15, 2015, and every December 15
15 thereafter. Such report shall include challenges in data collection,
16 barriers to data sharing, indicators for success that have been
17 identified, and an identification of future needs across the state.

18 Sec. 14. Section 43-1318, Revised Statutes Cumulative Supplement,
19 2014, is amended to read:

20 43-1318 Sections 43-1301 to 43-1321 and section 13 of this act shall
21 be known and may be cited as the Foster Care Review Act.

22 Sec. 15. Section 43-3001, Revised Statutes Cumulative Supplement,
23 2014, is amended to read:

24 43-3001 (1) Notwithstanding any other provision of law regarding the
25 confidentiality of records and when not prohibited by the federal Privacy
26 Act of 1974, as amended, juvenile court records and any other pertinent
27 information that may be in the possession of school districts, school
28 personnel, county attorneys, the Attorney General, law enforcement
29 agencies, child advocacy centers, state probation personnel, state parole
30 personnel, youth detention facilities, medical personnel, treatment or
31 placement programs, the Department of Health and Human Services, the

1 Department of Correctional Services, the Foster Care Review Office, local
2 foster care review boards, child abuse and neglect investigation teams,
3 child abuse and neglect treatment teams, or other multidisciplinary teams
4 for abuse, neglect, or delinquency concerning a child who is in the
5 custody of the state may be shared with individuals and agencies who have
6 been identified in a court order authorized by this section.

7 (2) In any judicial proceeding concerning a child who is currently,
8 or who may become at the conclusion of the proceeding, a ward of the
9 court or state or under the supervision of the court, an order may be
10 issued which identifies individuals and agencies who shall be allowed to
11 receive otherwise confidential information concerning the child for
12 legitimate and official purposes. The individuals and agencies who may be
13 identified in the court order are the child's attorney or guardian ad
14 litem, the parents' attorney, foster parents, appropriate school
15 personnel, county attorneys, the Attorney General, authorized court
16 personnel, law enforcement agencies, state probation personnel, state
17 parole personnel, youth detention facilities, medical personnel, court
18 appointed special advocate volunteers, treatment or placement programs,
19 the Department of Health and Human Services, the Office of Juvenile
20 Services, the Department of Correctional Services, the Foster Care Review
21 Office, local foster care review boards, the office of Inspector General
22 of Nebraska Child Welfare, child abuse and neglect investigation teams,
23 child abuse and neglect treatment teams, other multidisciplinary teams
24 for abuse, neglect, or delinquency, and other individuals and agencies
25 for which the court specifically finds, in writing, that it would be in
26 the best interest of the juvenile to receive such information. Unless the
27 order otherwise states, the order shall be effective until the child
28 leaves the custody of the state or supervision of the court or until a
29 new order is issued.

30 (3) All information acquired by an individual or agency pursuant to
31 this section shall be confidential and shall not be disclosed except to

1 other persons who have a legitimate and official interest in the
2 information and are identified in the court order issued pursuant to this
3 section with respect to the child in question. A person who receives such
4 information or who cooperates in good faith with other individuals and
5 agencies identified in the appropriate court order by providing
6 information or records about a child shall be immune from any civil or
7 criminal liability. The provisions of this section granting immunity from
8 liability shall not be extended to any person alleged to have committed
9 an act of child abuse or neglect.

10 (4) In any proceeding under this section relating to a child of
11 school age, certified copies of school records relating to attendance and
12 academic progress of such child are admissible in evidence.

13 (5) Except as provided in subsection (4) of this section, any person
14 who publicly discloses information received pursuant to this section
15 shall be guilty of a Class III misdemeanor.

16 Sec. 16. Section 43-4318, Revised Statutes Cumulative Supplement,
17 2014, is amended to read:

18 43-4318 (1) The office shall investigate:

19 (a) Allegations or incidents of possible misconduct, misfeasance,
20 malfeasance, or violations of statutes or of rules or regulations of the
21 department by an employee of or person under contract with the
22 department, a private agency, a licensed child care facility, a foster
23 parent, or any other provider of child welfare services or which may
24 provide a basis for discipline pursuant to the Uniform Credentialing Act;
25 and

26 (b) Death or serious injury in foster homes, private agencies, child
27 care facilities, juvenile detention facilities, staff secure juvenile
28 facilities, and other programs and facilities licensed by or under
29 contract with the department or the Office of Probation Administration;
30 and

31 (c) Death ~~death~~ or serious injury in any case in which services are

1 provided by the department to a child or his or her parents or any case
2 involving an investigation under the Child Protection and Family Safety
3 Act, which case has been open for one year or less and the death or
4 serious injury was determined to have not occurred by chance. The
5 department and the Office of Probation Administration shall report all
6 cases of death or serious injury of a child in a foster home, private
7 agency, child care facility or program, or other program or facility
8 licensed by the department to the Inspector General as soon as reasonably
9 possible after the department or the Office of Probation Administration
10 learns of such death or serious injury. For purposes of this subdivision,
11 serious injury means an injury or illness caused by suspected abuse,
12 neglect, or maltreatment which leaves a child in critical or serious
13 condition.

14 (2) Any investigation conducted by the Inspector General shall be
15 independent of and separate from an investigation pursuant to the Child
16 Protection and Family Safety Act. The Inspector General and his or her
17 staff are subject to the reporting requirements of the Child Protection
18 and Family Safety Act.

19 (3) Notwithstanding the fact that a criminal investigation, a
20 criminal prosecution, or both are in progress, all law enforcement
21 agencies and prosecuting attorneys shall cooperate with any investigation
22 conducted by the Inspector General and shall, immediately upon request by
23 the Inspector General, provide the Inspector General with copies of all
24 law enforcement reports which are relevant to the Inspector General's
25 investigation. All law enforcement reports which have been provided to
26 the Inspector General pursuant to this section are not public records for
27 purposes of sections 84-712 to 84-712.09 and shall not be subject to
28 discovery by any other person or entity. Except to the extent that
29 disclosure of information is otherwise provided for in the Office of
30 Inspector General of Nebraska Child Welfare Act, the Inspector General
31 shall maintain the confidentiality of all law enforcement reports

1 received pursuant to its request under this section. Law enforcement
2 agencies and prosecuting attorneys shall, when requested by the Inspector
3 General, collaborate with the Inspector General regarding all other
4 information relevant to the Inspector General's investigation. If the
5 Inspector General in conjunction with the Public Counsel determines it
6 appropriate, the Inspector General may, when requested to do so by a law
7 enforcement agency or prosecuting attorney, suspend an investigation by
8 the office until a criminal investigation or prosecution is completed or
9 has proceeded to a point that, in the judgment of the Inspector General,
10 reinstatement of the Inspector General's investigation will not impede or
11 infringe upon the criminal investigation or prosecution. Under no
12 circumstance shall the Inspector General interview any minor who has
13 already been interviewed by a law enforcement agency, personnel of the
14 Division of Children and Family Services of the department, or staff of a
15 child advocacy center in connection with a relevant ongoing investigation
16 of a law enforcement agency.

17 Sec. 17. Original section 29-1926, Reissue Revised Statutes of
18 Nebraska, and sections 43-272.01, 43-285, 43-297.01, 43-2,108, 43-1301,
19 43-1302, 43-1303, 43-1304, 43-1308, 43-1309, 43-1313, 43-1318, 43-3001,
20 and 43-4318, Revised Statutes Cumulative Supplement, 2014, are repealed.