

AMENDMENTS TO LB158

(Amendments to Standing Committee amendments, AM145)

Introduced by Pansing Brooks, 28.

1 1. Insert the following new sections:

2 Section 1. The Juvenile Indigent Defense Fund is created. The fund
3 shall be administered by the Commission on Public Advocacy and shall only
4 be used to provide legal services to juveniles in juvenile court and
5 provide resources to assist counties in fulfilling their obligation to
6 provide for effective assistance of legal counsel for indigent juveniles.
7 The commission shall distribute money in the fund periodically in the
8 form of grants to counties under the Juvenile Indigent Defense Grant
9 Program as provided by the commission's rules and regulations. Any money
10 in the fund available for investment shall be invested by the state
11 investment officer pursuant to the Nebraska Capital Expansion Act and the
12 Nebraska State Funds Investment Act.

13 Sec. 2. (1) There is created a separate and distinct budgetary
14 program within the Commission on Public Advocacy to be known as the
15 Juvenile Indigent Defense Grant Program. Funds from the Juvenile Indigent
16 Defense Fund shall be used to provide grants to counties to help offset
17 the cost of providing legal counsel for indigent juveniles.

18 (2)(a) A county may apply for a grant under the program beginning
19 September 15, 2018.

20 (b) To be eligible for a grant under the program, a county shall
21 demonstrate to the commission that, after the effective date of this act,
22 the county's per capita juvenile court costs have increased, as compared
23 to such county's per capita juvenile court costs for the preceding three
24 fiscal years. The county shall provide the commission with data showing
25 that such increase in costs was due to the implementation of this
26 legislative bill and pinpointing the factors contributing to such

1 increase.

2 (c) Funds provided to counties under the program shall be used
3 exclusively to provide legal counsel for indigent juveniles.

4 (3) Any county receiving a grant under the program shall annually
5 submit information electronically to the commission as required by the
6 commission's rules and regulations. Such information shall include, but
7 not be limited to, the number of juveniles that received legal
8 representation as a result of this legislative bill and the reason or
9 reasons for not otherwise providing legal representation.

10 (4) On or before October 1, 2019, and each October 1 thereafter, the
11 commission shall electronically submit a report to the Legislature
12 concerning the distribution and use of funds for grants provided under
13 the program. The report shall include, but not be limited to, the
14 information described in subsection (3) of this section.

15 (5) The commission shall adopt and promulgate rules and regulations
16 as necessary to implement section 1 of this act and this section.

17 Sec. 3. Section 24-227.01, Reissue Revised Statutes of Nebraska, is
18 amended to read:

19 24-227.01 The Supreme Court Automation Cash Fund is created. The
20 State Court Administrator shall administer the fund. The fund shall only
21 be used to support automation expenses of the Supreme Court, Court of
22 Appeals, district courts, separate juvenile courts, county courts, and
23 Nebraska Probation System from the computer automation budget program.

24 On July 1, 2014, or as soon thereafter as administratively possible,
25 the State Treasurer shall transfer six hundred thousand dollars from the
26 Supreme Court Automation Cash Fund to the Nebraska Retirement Fund for
27 Judges as an offset to the increase in the state's contribution to the
28 Nebraska Judges Retirement System.

29 On or after the effective date of this act, or as soon thereafter as
30 administratively possible, the State Treasurer shall transfer four
31 hundred thousand dollars from the Supreme Court Automation Cash Fund to

1 the Juvenile Indigent Defense Fund to be used as provided in section 1 of
2 this act.

3 Any money in the Supreme Court Automation Cash Fund available for
4 investment shall be invested by the state investment officer pursuant to
5 the Nebraska Capital Expansion Act and the Nebraska State Funds
6 Investment Act.

7 Sec. 4. This act becomes operative on September 15, 2017.

8 2. Renumber the remaining sections and amend the repealer
9 accordingly.

10 3. Renumber the remaining amendments accordingly.