

**ONE HUNDRED NINTH LEGISLATURE - SECOND SESSION - 2026**  
**COMMITTEE STATEMENT**  
**LB1032**

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**Hearing Date:** Thursday February 12, 2026  
**Committee On:** Judiciary  
**Introducer:** DeBoer  
**One Liner:** Provide for recognition and enforcement of tribal customary adoptions under the Nebraska Indian Child Welfare Act and related laws

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**Roll Call Vote - Final Committee Action:**  
Advanced to General File with amendment(s)

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**Vote Results:**

<b>Aye:</b>	7	Senators Bosn, DeBoer, Hallstrom, Holdcroft, McKinney, Rountree, Storm
<b>Nay:</b>		
<b>Absent:</b>		
<b>Present Not Voting:</b>	1	Senator Storer

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**Testimony:**

**Proponents:**

Senator Wendy DeBoer  
Allison Derr  
Deborah Dancer  
Grace Johnson  
Kameron Runnels  
  
Liz Lovejoy Brown  
Courtney Chavez  
  
Renaë Helper  
Patience Teboe  
Cheyenne Robinson  
Shannon Gibson  
  
Thomas Snow Ball Sr  
Kitty Washburn  
Danielle LaPointe  
Kathryn O'Hagan  
Chloe Fowler  
Judy Gaiashkibos

**Representing:**

Opening Presenter  
Nebraska Appleseed  
Nebraska Indian Child Welfare Coalition  
Self  
Santee Sioux Nation Tribal Council; Nebraska Intertribal Coalition  
Dr. Susan LaFlesche Picotte Center  
Ponca Tribe of Nebraska; Nebraska Indian Child Welfare Coalition  
Santee Indian Child Welfare Specialists  
Ponca Tribe of Nebraska  
Omaha Tribe of Nebraska  
Omaha Nation School; Omaha Tribe Child Family Services  
Winnebago Tribe of Nebraska  
Self  
Santee Sioux Social Services  
Department of Health & Human Services  
Nebraska Children's Commission  
Nebraska Indian Commission

**Opponents:**

Scott Thomas

**Representing:**

Village in Progress



**Neutral:**  
Monika Gross

**Representing:**  
Foster Care Review Office

\* ADA Accommodation Written Testimony

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**Summary of purpose and/or changes:**

LB 1032 updates Nebraska's adoption statutes, termination-of-parental-rights provisions, the Foster Care Review Act, and the Nebraska Indian Child Welfare Act (NICWA) to implement a process for the recognition and enforcement of tribal customary adoptions. A tribal customary adoption is a form of adoption recognized under tribal customs and traditions that can create a permanent parent-child relationship without necessarily requiring termination of the biological parents' rights, and may allow continued legal or relational connections between the child and the child's biological family consistent with tribal tradition. This differs from standard adoption under state law, which generally requires termination of parental rights and replaces the legal parent-child relationship.

The bill authorizes Nebraska courts to grant temporary concurrent jurisdiction to the child's tribal court for the purpose of finalizing a tribal customary adoption under tribal custom and law, and requires Nebraska courts to accept and give full faith and credit to a qualifying tribal customary adoption order or judgment. More broadly, the bill integrates tribal customary adoption into permanency planning by providing that, when tribal customary adoption is appropriate and consented to by the child's tribe, the case may proceed to permanency without termination of parental rights, and termination should not proceed until the court determines tribal customary adoption is not an appropriate permanency plan and not in the child's best interests under the NICWA. The bill also clarifies the applicability of the NICWA to certain sections of law.

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**Explanation of amendments:**

The committee amendment (AM 2847) strikes and replaces the original sections. AM 2847 makes the following changes to LB 1032:

AM 2847 amends the procedures for a state juvenile court case involving a tribal customary adoption as follows:

- (1) Strikes provisions prohibiting the state from filing a recommendation or petition for termination of parental rights. Instead, the state would have the option to not file a recommendation or petition for termination of parental rights when otherwise required to do so, if the case involves a child who may be eligible for a tribal customary adoption; and
- (2) Clarifies when the state court must consider a tribal customary adoption. This includes adding that for any recommendation or request that the court change an Indian child's permanency plan to anything other than returning the child to the parent or home, the requestor or movant must notify the child's tribe 20 days before the hearing, allowing the child's tribe to object based on their belief that a tribal customary adoption would be in the child's best interests. Upon receiving such an objection from the tribe, the court must deny the recommendation or request and maintain the child's permanency plan as a tribal customary adoption, or change it to be a tribal customary adoption, unless the court finds that it would not be in the child's best interests. If the court does not receive an objection from the child's tribe, the court may proceed as requested.

AM 2847 amends provisions regarding the concurrent jurisdiction of a state juvenile court and a tribal court as follows:

- (1) Provides that when the state court grants temporary concurrent jurisdiction to the tribal court, the required notice to the child's tribe must be in writing;
- (2) Provides that when the state court grants temporary concurrent jurisdiction to the tribal court, the Department of



Health and Human Services must provide the tribal court with a copy of the state court files within 30 days to ensure that the tribal court can make an informed decision;

(3) Clarifies that the authority of a tribal court that has been granted temporary concurrent jurisdiction is limited to finalizing the terms of a tribal customary adoption;

(4) Clarifies that the tribal court must finalize the tribal customary adoption in the child's best interests;

(5) Removes the authority of the child's tribe to conduct the pre-adoptive medical assessment; and

(6) Adds a 120-day deadline for the tribal court to complete the tribal customary adoption.

AM 2847 amends the process to modify the terms of a tribal customary adoption as follows:

(1) Removes the tribal customary adoption modification provision from the introduced bill. AM 2847 does not replace that provision; and

(2) Provides that any rights retained by the child's biological parents under the terms of the tribal customary adoption do not entitle the biological parents to challenge or undo the tribal customary adoption once it is finalized.

AM 2847 also provides that the state juvenile court's jurisdiction terminates once the tribal customary adoption is finalized.

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Carolyn Bosn, Chairperson

