

ONE HUNDRED NINTH LEGISLATURE - SECOND SESSION - 2026
COMMITTEE STATEMENT
LB985

Hearing Date: Thursday January 29, 2026
Committee On: Judiciary
Introducer: DeBoer
One Liner: Provide a limitation on the number of individuals for which a guardian or conservator may accept appointment

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

Vote Results:

Aye: 8 Senators Bosn, DeBoer, Hallstrom, Holdcroft, McKinney, Rountree, Storer, Storm
Nay:
Absent:
Present Not Voting:

Testimony:

Proponents:

Senator Wendy DeBoer
Amy Miller
Jina Ragland

Representing:

Opening Presenter
Disability Rights Nebraska
AARP Nebraska

Opponents:

Tim Hruza

Representing:

Nebraska State Bar Association

Neutral:

Representing:

* ADA Accommodation Written Testimony

Summary of purpose and/or changes:

LB 985 amends the Nebraska Probate Code to limit the number of individuals for whom a person may serve as a guardian or conservator. Under Nebraska law, a guardian is a court-appointed fiduciary responsible for making personal and medical decisions for a person who is unable to make those decisions for themselves, while a conservator is a court-appointed fiduciary responsible for managing the person's financial affairs and property.

LB 985 prohibits a person from accepting appointment as a guardian or conservator if the person already serves as a guardian or conservator for 20 individuals.

Explanation of amendments:

The Committee considered and adopted an amendment (AM 2117) which strikes and replaces the original sections of LB 985 and includes LB 985 as introduced. The committee amendment also incorporates LB 1178 as introduced. LB



985 comprises sections 6 and 8 of AM 2117; and LB 1178 comprises sections 1 to 5, 7, and 9 of AM 2117.

LB 1178

LB 1178 updates several guardianship and conservatorship provisions in the Nebraska Probate Code to provide that an incapacitated person, ward, minor, or protected person has the right to attend certain court hearings virtually or in person. The bill also codifies certain duties of guardians and adds a new provision authorizing courts to award costs and expenses, including reasonable attorney's fees, in certain guardianship or conservatorship proceedings.

LB 1178 had a public hearing on January 29, 2026, with the following testifiers:

Proponents:

Senator Wendy DeBoer , Opening Presenter
Amy Miller, Disability Rights Nebraska
Jina Ragland, AARP Nebraska

Opponents: None

Neutral:

Tim Hruza, Nebraska State Bar Association

Section-by-Section Summary:

Section 1: Amends § 30-2201 to add new Section 9 of the Act to the Nebraska Probate Code. This section was added by AM 2117 and is a harmonizing change related to LB 1178.

Section 2: Amends § 30-2619 to provide that the person alleged to be incapacitated is entitled to be present at a guardianship hearing virtually or in person. (LB 1178)

Section 3: Amends § 30-2623 to provide that, in any hearing regarding a guardian's removal or resignation (or for termination of an adjudication of incapacity), the ward has the right to attend the hearing virtually or in person. This section also makes nonsubstantive changes replacing male pronouns with "ward" or "guardian." (LB 1178)

Section 4: Amends § 30-2625 to require that notice of a guardianship hearing inform the person alleged to be incapacitated of the right to attend each court hearing virtually or in person. (LB 1178)

Section 5: Amends § 30-2627 to require that a guardian monitor the ward or protected person at least once per month, maintain a written record of each visit, and have periodic contact with all public or private individuals and agencies that provide care or related services to the ward or protected person. (LB 1178)

Section 6: Amends § 30-2628 to prohibit a person from accepting appointment as a guardian if the person already serves as a guardian or conservator for 20 individuals. (LB 985)

Section 7: Amends § 30-2636 to provide that, in conservatorship or protective order proceedings, the minor or person to be protected has the right to attend each court hearing virtually or in person. (LB 1178)

Section 8: Amends § 30-2655 to prohibit a person from accepting appointment as a conservator if the person already serves as a guardian or conservator for 20 individuals. (LB 985)



Section 9: Creates a new provision of law authorizing courts, in any judicial proceedings involving the appointment, administration, or accounting of guardianships or conservatorships, to award costs and expenses including reasonable attorney's fees, as justice and equity may require, payable by another party or from the trust that is the subject of the controversy. (LB 1178)

Section 10: Repealer.

Carolyn Bosn, Chairperson

