

ister, Senator Landis and I have prepared early this morning. It is being photocopied. By the time I think my description is over you ought to be having it on your desk, I hope. It is a relatively simple amendment. LB 215 deals with proceedings in district courts for the termination of parental rights. What happens from time to time in the district court is that parents will be involved in divorce cases and it will come to the attention of the judge that the parents are not fit parents. And the judge will conclude in his own mind that the rights of the parents to their children should be terminated. However, under some, and this Legislature has dealt with that issue at a couple of times in the past. The Nebraska Supreme Court, however, has held that the way that the Legislature has dealt with the issue has been unconstitutional. So what LB 215 does is 215 establishes a constitutional method for permitting district court judges to terminate parental rights. What the amendment to 215 by Senator Chronister, Senator Landis and myself does is this. The most important part of the amendment is on page three, I see it is now being passed out, which says that when a district court is faced with a termination question, when it is faced with a termination question, the district court will not decide the termination question but rather will refer the termination issue to the juvenile court which has been terminating parental rights for a long period of time. In other words, termination of parental rights is something that the juvenile courts have done for a long period of time and they have a lot of experience in that area. So the amendment says when the district court is called upon to consider whether to terminate parental rights in the context of an ongoing case it shall refer the termination issue to the juvenile court but it also says it won't refer the issue if a showing can be made that the district court is a more appropriate forum. In making that showing, in making that determination, the district court may consider such factors as cost to the parties, undue delay, congestion of dockets and relative resources available for investigative and supervisory assistance if no such transfer is made. Now all this amendment does is it puts the burden on the district court to take a termination case, refer that to juvenile court but the burden may be lifted upon affirmative showing that the district court is the better forum for the case. The basic thrust of the amendment is to get those termination cases before the one court system that has a lot of experience in dealing with termination issues, the juvenile court. Now this amendment has been agreed to by the bill's sponsor, Senator Chronister, as well as Senator Landis and myself who have taken a lively interest in the measure. I at this time would move the amendment to the bill.

SPEAKER MARVEL: The motion is the adoption of the amendment as explained by Senator Vard Johnson to LB 215. Is