

January 23, 1992 LB 434

brought to us by Joe Steele, the Court Administrator, and the Chief Justice. Every couple of years the court, through a variety of means, collects changes to a statute that they think would improve the way that we do business in the court system and cause as little controversy as possible. LB 434 is one of those bills. This is undertaken as a result of a statewide automation project. This proposal would remove from statute the provision which allows prosecutors to charge multiple defendants on a single document. This, like the item relating to multiple witnesses names on subpoenas, is proposed almost directly as a result of the automation system. They very rarely use the procedure of charging multiple defendants on a single document. And it also makes case tracking and statistics much more difficult than it would need be otherwise. When multiple defendants are charged on the same document it's just simply difficult to track in a computer system, more so than when two or ten defendants named on a single document. A single filing, LB 434 simply proposes to remove from statute that permission...that provision which allows that. According to the court administrator and the county attorneys that we've talked with, it in no way alters and is certainly not intended to alter any provisions relating to joint trials. You can still have joint trials. This bill only has to do with the original document and specifies that a single individual may be named. The County Attorneys Association didn't have any problems with the bill, and as a matter of fact have indicated that many of them have found a similar problem as they move to automate their own office. There is no fiscal impact. And I would ask that you advance 434 to Select File. In case, as I had mentioned, this bill was brought to me by Joe Steele and the Chief Justice, most of you signed a card the other day for Joe Steele after his open heart surgery, and he went home yesterday and is doing very well. So I thought I'd pass that...ask for your adoption of the bill.

SPEAKER BAACK: Thank you, Senator Chizek. Anyone wishing to discuss the advancement of LB 434? Seeing no one, Senator Chizek, do you wish to close? Waives closing. We will now vote on the advancement of LB 434. All those in favor vote aye, opposed vote no. We are voting on the advancement of LB 434. Have you all voted? Record, Mr. Clerk.

CLERK: 28 ayes, 0 nays, Mr. President, on the advancement of 434.