

ONE HUNDRED THIRD LEGISLATURE - FIRST SESSION - 2013
COMMITTEE STATEMENT
LB342

Hearing Date: Wednesday March 06, 2013
Committee On: Judiciary
Introducer: Coash
One Liner: Change right to counsel provisions under the Nebraska Juvenile Code

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

Vote Results:

Aye: 8 Senators Ashford, Chambers, Christensen, Coash, Davis, Lathrop,
McGill, Seiler

Nay:

Absent:

Present Not Voting:

Proponents:

SEN. COLBY COASH
ELIZABETH NEELEY
ELAINE MENZEL

Representing:

INTRODUCER
LANCASTER COUNTY
NACO

Opponents:

Representing:

Neutral:

Representing:

Summary of purpose and/or changes:

Legislative Bill 342 would provide that proceedings for the termination of parental rights retained by the county or district court be conducted as provided in the Juvenile Code. The bill would clarify that the court will not appoint counsel for a stepparent, custodian or guardian unless there are allegations against that person in the petition. The bill would provide that failure to maintain contact with court appointed counsel may result in such counsel being discharged by the court. The bill would also clarify the distinction between custodial and noncustodial for purposes of determining which parent a probation officer can release a juvenile to.

Explanation of amendments:

Committee Amendment AM 490 would strike section four of the bill which would have changed provisions related to determining which parent a probation officer can release a juvenile to. The amendment would provide the court with discretion to appoint counsel for a person who is not a party to the proceeding.

Brad Ashford, Chairperson