

One Hundred Second Legislature - First Session - 2011

Introducer's Statement of Intent

LB17

Chairperson: Senator Brad Ashford

Committee: Judiciary

Date of Hearing: January 28, 2011

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

LB 17 will amend Nebraska's law to provide that the complete record of district case may consist of the electronic images or documents maintained in the Judicial branch's electronic record system called "JUSTICE". The electronic images are made sufficient for purposes of providing a complete record for the standards established by the State Records Administrator for the retention of records for specified periods of time, commonly called document retention schedules. Further, this change would allow the state computer system to control the document retention schedule for images retained to the system. After the time period set by the document retention schedule, the district court clerk is required maintain a security copy of the disks, tapes, indexes and other documents of the complete record.

Current law requires the Clerk of the District Court to make a complete record of every case filed or appealed in the district court as soon as it is finally determined. Current law allows the parties to the case to waive the obligation to pay for the preparation and retention of the record of the case.

LB 17 would require the parties to the law suit to pay for the work of the Clerk of the District Court to prepare and retain the complete record.

Principal Introducer: _____

Senator John Wightman