

One Hundred Second Legislature - First Session - 2011

Introducer's Statement of Intent

LB301

Chairperson: Senator Brad Ashford

Committee: Judiciary

Date of Hearing: February 24, 2011

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

Legislative Bill 301 is a clean-up bill to address those portions of LB 800 passed in 2010 relating to the process created for sealing juvenile records. LB 301 provides that the automatic initiation of the sealing process starts when the juvenile has satisfactorily completed such juvenile's probation, supervision, or other treatment or rehabilitation program provided under the Nebraska Juvenile Code or has satisfactorily completed such juvenile's diversion or sentence in county court. LB 301 further provides for juvenile records to be sealed where a juvenile was taken into custody or arrested and charges were filed but later dismissed. Hearings regarding the motion to seal the record shall be held within 60 days, rather than the current 30 day requirement. LB 301 limits the agencies and treatment providers to which notice of a sealed record must be sent. The bill also provides that when a case was transferred to a separate court, notice of the sealed record must be sent to the transferring court. LB 301 further expands the instances in which a sealed juvenile record may be accessed. Finally, LB 301 provides that the Office of Juvenile Services must provide notice to the committing court when a juvenile is discharged from its care and custody or is discharged from parole.

Principal Introducer: _____

Senator Brad Ashford