

SENATOR DWORAK: Senator Nichol, could you give me some examples, some illustrations, of some of those hidden traps that exist in the current system that won't exist after this legislation is passed and can you show me specifically in this bill where you are remedying those identified hidden traps? I would appreciate that, Senator Nichol.

SENATOR NICHOL: I will attempt to do so and I may need some help from some of the attorneys on the floor. #1. Provides any party may appeal a final order to the county or municipal court to the district court. It provides for appeals from the adoption proceedings and appeals under the Nebraska Probate Code. It also provides who may appeal from proceedings in the county sitting as a juvenile court. The section is not applicable to appeals involving eminent domain. Now that is one. Would you like to proceed that further?

SENATOR DWORAK: Yes, the old process did not include eminent domain but now the new process will?

SENATOR NICHOL: No, this section does not apply to eminent domain.

SENATOR DWORAK: But the old section did?

SENATOR NICHOL: No, I don't believe that the old section did but just to make it clear (interruption).

SENATOR DWORAK: Well, what is the trap?

SENATOR NICHOL: I don't know what the trap is. It has to do with appealing from a lower court to a higher court.

SENATOR DWORAK: My question, specifically, Senator Nichol, was you referred to hidden traps in the existing appeal process that are now being corrected by this legislation. I have asked you to identify those traps and how they going to be remedied.

SENATOR NICHOL: Would you be agreeable for me to give you these various things, there are 25 of them, and I will try to have them spelled out to you in detail, since I am not an attorney and I don't intend to be able to spell out to you exactly what each trap is but I would be most happy and I would like to have you have those prior to your voting.

SENATOR DWORAK: Is there somebody on the committee that could explain the hidden traps?

SENATOR NICHOL: No...well, I don't think so. If any committee