

February 8, 1982

LB 719, 724

SENATOR CLARK: Senator Nichol.

SENATOR NICHOL: Mr. Chairman, members of the Legislature, LB 719 was introduced on behalf of the Nebraska Supreme Court and provides for a change in the method of payment for docket fees in cases filed in the Supreme Court and also increases that fee. Currently when a matter is filed in the Supreme Court, the party making the filing pays a docket fee of \$20. The opposing party when making their first appearance in the action is required to pay an additional docket of \$5. Incidentally, this \$5 usually never gets paid. In order to ease the administration of docket fee collection, the bill provides the entire docket fee is to be paid by the party originally filing the action and the docket fee is increased from \$25 to \$50. Generally, the losing party gets stuck for these fees anyway and it takes about \$1500 minimum to take a case to the Supreme Court so \$50 isn't going to keep them out. I move for the advancement of the bill.

SENATOR CLARK: Is there any discussion on the advancement of LB 719? If not, all those in favor vote aye, opposed vote nay.

CLERK: Senator Clark voting yes.

SENATOR CLARK: Record the vote.

CLERK: 29 ayes, 0 nays, Mr. President, on the motion to advance the bill.

SENATOR CLARK: 719 is advanced. We go to 724.

CLERK: Mr. President, LB 724 introduced by the Law Enforcement Criminal Justice Advisory Committee and signed by its members. (Read title). The bill was read on January 8 of this year, referred to Judiciary, advanced to General File. I have no amendments to the bill, Mr. President.

SENATOR CLARK: Senator Nichol.

SENATOR NICHOL: Mr. Chairman, members of the Legislature, LB 724 provides for the certification of questions of law in the Nebraska Supreme Court from the federal courts or other State Supreme Courts. Currently when a question arises in these other courts as to the interpretation of Nebraska law, the question is resolved by the foreign court guessing how the Supreme Court would decide the issue if it were before it. The bill will end situations like this by providing a procedure for the foreign court to request