

March 27, 1986

SENATOR WARNER: That is right. Under the statutes, Senator, that was passed some years ago, all these claims are referenced by the Executive Board to the Standing Committee which has jurisdiction for subject matter. They then forward a recommendation on the payment of the claim to the Appropriations Committee and that is the process and the bill is now...Senator Hoagland is here. He can give you more details.

PRESIDENT: Senator Hoagland.

SENATOR HOAGLAND: Yes, what is your question, Senator Haberman?

SENATOR HABERMAN: I raised the question, Senator Hoagland. What was the fight about on Claim No. C.C.003 of 21,000 against the State Probation Administration?

SENATOR HOAGLAND: Now the claim is for attorney fees.

SENATOR HABERMAN: Yes, but if we had to have an attorney, what were we fighting about?

SENATOR HOAGLAND: What was the underlying fight. It involved three probation officers who, following an audit of the court involved, were told that they had to resign. All right, and they then...these three gentlemen then resigned under protest.

SENATOR HABERMAN: Mr. Speaker, I can't hear. Would you hit the hammer?

SENATOR HOAGLAND: What happened, Senator Haberman, as far as the underlying fight is concerned is three probation officers resigned under protest after their resignation was requested by supervisors in the Probation Department. They didn't like it. They resigned. They then hired attorneys, filed suit in federal court on the grounds that they were effectively denied a hearing, and they prevailed in federal court. They were awarded back wages, I believe. Those details were not made available to the committee. Following that, the federal judge, Senior Judge Van Pelt entered an order requiring the State of Nebraska to pay attorney fees to the lawyers that represented those three probation officers, and this claim is simply for those attorney fees.

SENATOR HABERMAN: Well, then, Senator Hoagland, would it be a reasonable suggestion or thought to have that...is this \$21,000, coming out of the probation officers' budget or is this going to