

LEGISLATURE OF NEBRASKA  
ONE HUNDREDTH LEGISLATURE  
FIRST SESSION  
**LEGISLATIVE BILL 290**

Introduced By: Pirsch, 4  
Read first time: January 10, 2007  
Committee: Judiciary

A BILL

1 FOR AN ACT relating to courts; to amend section 24-809, Reissue  
2 Revised Statutes of Nebraska; to change provisions relating  
3 to the judicial nominating commission as prescribed; and to  
4 repeal the original section.

5 Be it enacted by the people of the State of Nebraska,

1           Section 1. Section 24-809, Reissue Revised Statutes of  
2 Nebraska, is amended to read:

3           24-809. The judge of the Supreme Court on each judicial  
4 nominating commission shall be the chairperson of the commission and  
5 shall preside at all of its meetings. He or she shall not be entitled  
6 to vote. In selecting or rejecting judicial nominees, the members of  
7 the commission shall vote by oral roll call vote. When it is  
8 determined that a judicial vacancy exists in a particular district,  
9 the chairperson of the commission shall determine whether there will  
10 be eight qualified members of the appropriate judicial nominating  
11 commission, including alternate members. If it is determined that  
12 there will not be eight members present and capable of voting at the  
13 time the commission meets to vote, the chairperson of the commission  
14 shall inform the Governor of the number of citizen members which need  
15 to be appointed and shall inform the Executive Director of the  
16 Nebraska State Bar Association of the number of lawyer members which  
17 need to be elected. The Governor shall promptly make such number of  
18 citizen appointments as are necessary. The Executive Council of the  
19 Nebraska State Bar Association shall nominate ~~two~~ at least one  
20 lawyer ~~candidates~~ candidate for each vacancy on the nominating  
21 commission which needs to be filled. If the Executive Council is  
22 unable, with reasonable effort, to obtain a sufficient number of  
23 candidates for each vacancy, it may nominate candidates who do not  
24 reside in the judicial district or area served by such nominating  
25 commission. The nominations shall be sent to the Clerk of the  
26 Supreme Court, and the lawyer vacancies shall be filled by election  
27 as provided in section 24-806. There shall be eight qualified

1 commission members present and capable of voting at the time the vote  
2 is taken. In the event that a nominating commission public hearing is  
3 postponed due to the lack of a full complement of commission members  
4 entitled to vote, the time limits specified in subsection (4) of  
5 section 24-810 shall be extended for an additional thirty days for  
6 each such postponement. The chairperson of the commission shall cause  
7 appropriate notice of the time and place of the newly scheduled  
8 judicial nominating commission public hearing to be published as  
9 provided in subsection (1) of section 24-810. The postponement of a  
10 commission hearing shall not extend the initial application filing  
11 deadline of twenty-one days prior to the initial public hearing. Each  
12 candidate shall receive five votes from the voting members of the  
13 nominating commission to have his or her name submitted to the  
14 Governor.

15 Sec. 2. Original section 24-809, Reissue Revised Statutes of  
16 Nebraska, is repealed.