

LEGISLATURE OF NEBRASKA
ONE HUNDREDTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 457

Introduced by Hansen, 42; Johnson, 37; Lathrop, 12; McDonald, 41;
Pankonin, 2; Schimek, 27;

Read first time January 16, 2007

Committee: Judiciary

A BILL

1 FOR AN ACT relating to foster care; to amend section 43-1314,
2 Revised Statutes Cumulative Supplement, 2006; to require
3 questioning of certain persons at a court review; and to
4 repeal the original section.
5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 43-1314, Revised Statutes Cumulative
2 Supplement, 2006, is amended to read:

3 43-1314 Except as otherwise provided in the Nebraska
4 Indian Child Welfare Act, notice of the court review and the right
5 of participation in all court reviews pertaining to a child in
6 a foster care placement shall be provided by the court having
7 jurisdiction over such child for the purposes of foster care
8 placement either in court, by mail, or in such other manner as
9 the court may direct. Such notice shall be provided to all of the
10 following that are applicable to the case: (1) The person charged
11 with the care of such child; (2) the child's parents or guardian
12 unless the parental rights of the parents have been terminated
13 by court action as provided in section 43-292 or 43-297; (3) the
14 foster child if age fourteen or over; (4) the foster parent or
15 parents of the foster child; (5) the guardian ad litem of the
16 foster child; (6) the state board; (7) the preadoptive parent; and
17 (8) the relative providing care for the child. Notice to the foster
18 parent, preadoptive parent, or relative providing care shall not be
19 construed to require that such foster parent, preadoptive parent,
20 or relative is a necessary party to the review. ~~The~~ If the foster
21 parent, preadoptive parent, or relative providing care for the
22 child is present at the court review, the court may shall inquire
23 into the well-being of the foster child by asking questions of ~~the~~
24 ~~foster parent, preadoptive parent, or relative providing care for~~
25 ~~the child.~~ any such parent or relative.

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1 Sec. 2. Original section 43-1314, Revised Statutes
2 Cumulative Supplement, 2006, is repealed.