



Hundredth Legislature - First Session - 2007  
**Introducer's Statement of Intent**  
**LB 29**

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**Chairman:** Brad Ashford  
**Committee:** Judiciary  
**Date of Hearing:** January 26, 2007

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

Legislative Bill 29 amends Neb. Rev. Stat. § 43-290 and requires a mandatory calculation of child support for children made wards of the state. The Child Support Advisory Commission shall establish the guidelines for support calculations with input from the Health and Human Services System.

The process of becoming a state ward requires a court finding. As part of this finding, the court *may* enter an order to require the parents to pay support to the System for the child's cost of care (Neb. Rev. Stat. § 43-290). In most instances, the order is deminimus or no order is entered at all. Collections for support have, to date, been primarily limited to those instances where there has been a previous child support order entered as a result of a divorce. This change would treat all parents equally regardless of marital status.

Food, shelter, and medical care are obligations incumbent upon all parents for their children. When a child is placed in custody with the state, the state assumes responsibility for these duties. When the state ward is placed outside of the home, the state must pay a third party to provide these services. These actions should not sever the natural obligation for the parent to provide support for food, shelter, and medical care. By mandating such support to be paid on behalf of the child, the parent-child relationship may be promoted in order to reunify the family.

LB 29 would require that all court orders for state wards include a mandatory finding directing the parents to pay support to the Department for the child's cost of care, including medical support. The statute would include authority for the agency to make recommendations to the Child Support Advisory Commission regarding the child support mandatory schedule or child support formula. The Child Support Advisory Commission would then recommend these schedules or formula to the Nebraska Supreme Court. Any such schedule or formula should be reviewed and adjusted yearly to take into account inflation. Also, this bill updates old language involving the process of child support payments.

**Principal Introducer:**

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**Senator Mike Friend**  
**District 10**