

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

SECOND SESSION

**LEGISLATIVE BILL 1029**

Introduced by Stuthman, 22; Dubas, 34.

Read first time January 20, 2010

Committee: Judiciary

A BILL

1 FOR AN ACT relating to courts; to amend section 25-2221, Reissue  
2 Revised Statutes of Nebraska; to provide for court  
3 closure for inclement weather or other emergency as  
4 prescribed; and to repeal the original section.  
5 Be it enacted by the people of the State of Nebraska,

1           Section 1. Section 25-2221, Reissue Revised Statutes of  
2 Nebraska, is amended to read:

3           25-2221 (1) Except as may be otherwise more specifically  
4 provided, the period of time within which an act is to be done in  
5 any action or proceeding shall be computed by excluding the day of  
6 the act, event, or default after which the designated period of  
7 time begins to run. The last day of the period so computed shall be  
8 included unless it is a Saturday, a Sunday, or a day during which  
9 the offices of courts of record may be legally closed as provided  
10 in this section, in which event the period shall run until the end  
11 of the next day on which the office will be open.

12           (2) All courts and their offices may be closed on  
13 Saturdays, Sundays, days on which a specifically designated court  
14 is closed by order of the Chief Justice of the Supreme Court,  
15 and these holidays: New Year's Day, January 1; Birthday of Martin  
16 Luther King, Jr., the third Monday in January; President's Day,  
17 the third Monday in February; Arbor Day, the last Friday in April;  
18 Memorial Day, the last Monday in May; Independence Day, July 4;  
19 Labor Day, the first Monday in September; Columbus Day, the second  
20 Monday in October; Veterans Day, November 11; Thanksgiving Day, the  
21 fourth Thursday in November; the day after Thanksgiving; Christmas  
22 Day, December 25; and all days or partial days declared by law or  
23 proclamation of the Governor to be holidays. Such days or partial  
24 days shall be designated as nonjudicial days for the entire day.  
25 If any such holiday falls on Sunday, the following Monday shall be

1 a holiday. If any such holiday falls on Saturday, the preceding  
2 Friday shall be a holiday. Court offices shall be open on all  
3 other days except courts may be closed in case of inclement weather  
4 or other emergency as provided in subsection (3) of this section.

5 If the date designated by the state for observance of any legal  
6 holiday pursuant to this section, except Veterans Day, is different  
7 from the date of observance of such holiday pursuant to a federal  
8 holiday schedule, the federal holiday schedule shall be observed.

9 (3) In case of inclement weather or other emergency in  
10 which instance a courthouse or other building housing a court is  
11 closed by designation of the proper authorities, the presiding  
12 judge of the court, or his or her designee, may order the court  
13 closed. If the court is closed under such circumstances for  
14 any period of time, then the entire day shall be designated a  
15 nonjudicial day for that court and the clerk of the court shall  
16 upon request of any party or upon direction of the presiding judge  
17 of the court file a certificate in the court file of any case  
18 certifying that the court was closed due to inclement weather or  
19 other emergency and such certification shall be conclusive that the  
20 day was a nonjudicial day.

21 Sec. 2. Original section 25-2221, Reissue Revised  
22 Statutes of Nebraska, is repealed.