



One Hundred First Legislature - Second Session - 2010  
**Introducer's Statement of Intent**  
**LB 1026**

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**Chairperson:** Brad Ashford  
**Committee:** Judiciary  
**Date of Hearing:** February 3, 2010

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

Existing law grants the authority to a district court to transfer any civil action to the district court of another county in the state but the law does not provide a specific process or procedure for how this transfer is to occur. This gap in the law is corrected by this bill. Under LB 1026 the transferor court issues an order that would provide direction to the clerk of the district court on the process as follows:

- The transfer must occur within fifteen days after the date of the order,
- The clerk of the transferor court is required to;
  - Certify the proceedings,
  - File the original paper of such action,
  - Certify a transcript of docket entries; and,
  - Certify the payment record of any judgment, except judgments involving support order having records maintained by Department of Health and Human Services statewide collection and disbursement of child support order payments.

The Court order also is to specify how filing fees for the filing of a new civil action shall be paid by the transferring party and if the transferred case involves a child support judgment the Health and Human Services, Collection and Disbursement Unit is to transfer the records of the action.

Most transferred cases involve divorce actions where the filing of a transcript of a judgment does not provide adequate information for the second or transferee court to administer the terms of the divorce decree.

**Principal Introducer:** \_\_\_\_\_  
**Senator John Wightman**

