

ONE HUNDRED SECOND LEGISLATURE - SECOND SESSION - 2012
COMMITTEE STATEMENT
LB899

Hearing Date: Wednesday February 01, 2012
Committee On: Judiciary
Introducer: Lathrop
One Liner: Provide procedures for a legal separation decree

Roll Call Vote - Final Committee Action:
Advanced to General File

Vote Results:

Aye: 8 Senators Ashford, Coash, Council, Harr, Larson, Lathrop, Lautenbaugh, McGill
Nay:
Absent:
Present Not Voting:

Proponents:

SEN. STEVE LATHROP
KATIE ZULKOSKI

Representing:

INTRODUCER
NE STATE BAR

Opponents:

Representing:

Neutral:

Representing:

Summary of purpose and/or changes:

Legislative Bill 899 would codify procedures for a legal separation decree that are similar to the procedures for the dissolution of marriage. The bill would allow the court to enter a decree of separation without a hearing if certain conditions are met. The complaint filed in a legal separation proceeding would require an allegation that the couple has been legally married but will live separate and apart after the legal separation. If both parties state under oath or affirm that they will live separate and apart or one party so state and the other does not deny, the court may, after a hearing, enter a decree of legal separation. If one party denies under oath or affirmation that he or she wants a legal separation, then the court shall consider all the relevant factor and grant or deny the decree. The decree may be entered without a hearing if both parties waive the hearing requirement and the court has sufficient basis to make a finding on the courts jurisdiction over the mater and both parties have certified in writing that they have made every reasonable effort to reconcile and have entered into a written agreement resolving all issues presented in the pleadings.

Brad Ashford, Chairperson