

ONE HUNDRED THIRD LEGISLATURE

SECOND SESSION

LEGISLATIVE RESOLUTION 591

Introduced by Karpisek, 32.

PURPOSE: The purpose of this study is to review issues surrounding child custody proceedings and parenting time determinations as they pertain to families of divorce. This study shall take into consideration, but not be limited to, the following information:

1. A review and an analysis of research studies that examine how custody and parenting time awards affect outcomes for children both socially and emotionally;

2. A review, a comparison, and an analysis of parent-created parenting plans, attorney-negotiated parenting plans, mediated parenting plans, and court-determined parenting plans;

3. A review and an analysis of relevant legal standards that address the constitutional rights of children and parents;

4. A review and analysis of current and proposed legislation in other states to determine how other states have addressed these issues;

5. A review and an analysis of parenting time guidelines currently used in Nebraska to set and determine standards, including variations of these standards across the state;

6. A review and an analysis of available data on Nebraska divorce and custody proceedings;

7. A review and an analysis of custody decisions related to domestic violence;

8. A review and an analysis of how litigants manipulate the current family law system and the incentives the current system creates for such manipulation;

9. A review and an analysis of the effect of child support guidelines on parenting time decisions and the effect of custody decisions on child support payments;

10. A review and an analysis of what measures could be taken to improve implementation and actual enforcement of custody decisions; and

11. A review and an analysis of custody decisions on subsequent litigation.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED THIRD LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Judiciary Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.