

ONE HUNDRED FOURTH LEGISLATURE - SECOND SESSION - 2016
COMMITTEE STATEMENT
LB847

Hearing Date: Wednesday February 17, 2016
Committee On: Judiciary
Introducer: Pansing Brooks
One Liner: Change provisions relating to juries

Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:

Aye: 8 Senators Chambers, Coash, Ebke, Krist, Morfeld, Pansing Brooks, Seiler, Williams

Nay:

Absent:

Present Not Voting:

Verbal Testimony:

Proponents:

SEN. PATTY PANSING BROOKS
ELAINE MENZEL
JANET WIECHELMAN

Representing:

INTRODUCER
NACO
CLERK OF THE DISTRICT COURT ASSOCIATION

Opponents:

Representing:

Neutral:

BUB WINDLE

Representing:

NE STATE BAR

Summary of purpose and/or changes:

LB847 would make changes to the jury selection process.

Section 1 renames Chapter 25, article 16 as the Jury Selection Act. This article includes sections 25-1601 to 25-1643.

Section 6 provides definitions for the Jury Selection Act.

Section 7 would amend 25-1601 to change persons disqualified as jurors. The exclusion for parties to district court suits is expanded to parties to any pending suit in the county. The exclusion for persons convicted of criminal offense punishable by imprisonment in a Department of Correctional Services facility is clarified to exclude persons convicted of a felony. Persons with a mental or physical disability and nursing mothers would be required to submit a physician's certificate. This section would remove the automatic exemption for a person over sixty-five years of age and would instead allow a person over seventy years of age to request an exemption.

Section 18 would provide additional detail for the one-step jury qualification and summoning system under 25-1629.04.

Section 32 is new language that would require the clerk magistrate to provide written notice of a jury trial not less than thirty days prior to trial.

Section 33 would provide for a jury trial for criminal cases in county court arising under a city or village ordinance.

Section 42 would outright repeal the sections creating the summary jury trial procedure which allows a jury of six jurors in civil trials if it is requested by all parties. This section would also repeal a requirement that charges for waste, trespass, damage or destruction of trees on educational lands managed by the Board of Educational Lands and Funds be referred to a grand jury.

Explanation of amendments:

AM2273 would maintain the summary jury trial procedure eliminated in the original bill.

The amendment would change the age for requesting an exemption from jury service from seventy to sixty-five.

Les Seiler, Chairperson