

One Hundred Seventh Legislature - First Session - 2021

Introducer's Statement of Intent

LB102

Chairperson: Senator Steve Lathrop

Committee: Judiciary

Date of Hearing: February 25, 2021

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

LB102 would eliminate ex officio Clerks of the District Court and transfer their duties to Clerk Magistrates in each county per transition dates in the bill. County Clerks are currently performing the duties of ex officio Clerks of the District Court along with other county responsibilities.

LB102 also provides a local option for consolidation of duties when a vacancy occurs in the Office of an elected Clerk of the District Court or when an incumbent Clerk of the District Court does not seek re-election. The bill gives local control to the county board and permits it to make the decision to either keep or eliminate the office of the elected Clerk of the District Court.

If the county board opts to eliminate this elected office, the Clerk Magistrate for the county court, which is a state employee, will fulfill the duties of the Clerk of the District Court. The employees of the Clerk of the District Court have the option of becoming state Judicial Branch employees at no loss of salary. The county board in conjunction with the State Court Administrator will review the Clerk of the Court's office space and determine what is best suited for the consolidated office.

Principal Introducer: _____

Senator Myron Dorn