

LEGISLATIVE BILL 148

Approved by the Governor February 28, 1979

Introduced by Judiciary Committee, Nichol, 48, Chmn.;
Wagner, 41; Pirsch, 10; Reutzel, 15; Stoney, 4

AN ACT to amend section 25-2301, Reissue Revised Statutes of Nebraska, 1943, relating to civil procedure; to provide an exception as prescribed; and to repeal the original section.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 25-2301, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

25-2301. Any court of the State of Nebraska, except the Nebraska Workmen's Compensation Court, or of any county or municipality shall authorize the commencement, prosecution or defense of any suit, action or proceeding, civil or criminal, or appeal therein, without prepayment of fees and costs or security, by a person who makes an affidavit that he is unable to pay such costs or give security. Such affidavit shall state the nature of the action, defense or appeal and affiant's belief that he is entitled to redress. An appeal may not be taken in forma pauperis if the trial court certifies in writing that it is not taken in good faith.

Sec. 2. That original section 25-2301, Reissue Revised Statutes of Nebraska, 1943, is repealed.