

LEGISLATIVE BILL 229

Approved by the Governor February 14, 1989

Introduced by Chizek, 31

AN ACT relating to court records; to amend sections 24-555 and 43-113, Reissue Revised Statutes of Nebraska, 1943; to change provisions relating to probate and adoption records; and to repeal the original sections.

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

Section 1. That section 24-555, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

24-555. The probate record shall contain a full record of all wills, testaments and codicils, and the probate thereof, petitions, letters testamentary, letters of guardianship, letters of administration, all bonds and oaths of executors, guardians and administrators, all inventories, appraisements, publishers' affidavits proving the publication of a notice in compliance with an order of the court, the written voluntary appearance of parties, any proof of service of a notice made in compliance with an order of the court, objections or other pleadings filed with reference to admitting a will to probate, sale bills and other exhibits and reports received by the court relative to the settlement or disposition of estates, showing the amount of all such estates, as shown by such instruments, together with a full record of all orders, judgments and proceedings of the court, with the date of each paper filed or entry made, and a full record of all determinations of the Supreme Court upon appeal or petition in error, from an order of judgment of the county court. Evidence shall not be so recorded. All original papers shall be filed and preserved in the court and each case shall receive a file number be permanently retained on microfilm or in its original form in accordance with the Records Management Act. Evidence shall be retained as required by the Supreme Court.

Sec. 2. That section 43-113, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

43-113. Except as otherwise provided in the Nebraska Indian Child Welfare Act, all papers pertaining

to the adoption shall be kept by the county judge as a permanent record of the county court and withheld from inspection county court adoption records may not be inspected by the public and shall be permanently retained on microfilm or in their original form in accordance with the Records Management Act. No person shall have access to such records except on the order of the county judge of the court in which the decree of adoption was entered on good cause shown or as provided in sections 43-138 to 43-140 or 43-146.11 to 43-146.13.

Sec. 3. That original sections 24-555 and 43-113, Reissue Revised Statutes of Nebraska, 1943, are repealed.