

## LEGISLATIVE BILL 404

Approved by the Governor April 3, 1998

Introduced by Dw. Pedersen, 39; Will, 8

AN ACT relating to judges; to amend sections 24-301.02 and 24-503, Reissue Revised Statutes of Nebraska, and section 43-2,119, Revised Statutes Supplement, 1996; to change the number of county court, district court, and separate juvenile court judges; to provide an operative date; to repeal the original sections; and to declare an emergency.  
Be it enacted by the people of the State of Nebraska,

Section 1. Section 24-301.02, Reissue Revised Statutes of Nebraska, is amended to read:  
24-301.02. The State of Nebraska shall be divided into the following twelve district court judicial districts:  
District No. 1 shall contain the counties of Saline, Jefferson, Gage, Thayer, Johnson, Pawnee, Nemaha, Fillmore, and Richardson;  
District No. 2 shall contain the counties of Sarpy, Cass, and Otoe;  
District No. 3 shall contain the county of Lancaster;  
District No. 4 shall contain the county of Douglas;  
District No. 5 shall contain the counties of Merrick, Platte, Colfax, Boone, Nance, Hamilton, Polk, York, Butler, Seward, and Saunders;  
District No. 6 shall contain the counties of Dixon, Dakota, Cedar, Burt, Thurston, Dodge, and Washington;  
District No. 7 shall contain the counties of Knox, Cuming, Antelope, Pierce, Wayne, Madison, and Stanton;  
District No. 8 shall contain the counties of Cherry, Keya Paha, Brown, Rock, Blaine, Loup, Custer, Boyd, Holt, Garfield, Wheeler, Valley, Greeley, Sherman, and Howard;  
District No. 9 shall contain the counties of Buffalo and Hall;  
District No. 10 shall contain the counties of Adams, Clay, Phelps, Kearney, Harlan, Franklin, Webster, and Nuckolls;  
District No. 11 shall contain the counties of Hooker, Thomas, Arthur, McPherson, Logan, Keith, Perkins, Lincoln, Dawson, Chase, Hayes, Frontier, Gosper, Dundy, Hitchcock, Red Willow, and Furnas; and  
District No. 12 shall contain the counties of Sioux, Dawes, Box Butte, Sheridan, Scotts Bluff, Morrill, Garden, Banner, Kimball, Cheyenne, Grant, and Deuel.

~~Before July 1, 2000, in the fourth district there shall be fourteen judges of the district court, and on and after July 1, 2000, in the fourth district there shall be sixteen judges of the district court. Before July 1, 1996, in the third district there shall be six judges of the district court, and on and after July 1, 1996, in the third district there shall be seven judges of the district court. In the twelfth district there shall be five judges of the district court. In the second and fifth districts there shall be four judges of the district court. In the first, sixth, ninth, and eleventh districts there shall be three judges of the district court. In the seventh, eighth, and tenth districts there shall be two judges of the district court.~~

Sec. 2. Section 24-503, Reissue Revised Statutes of Nebraska, is amended to read:

24-503. For the purpose of serving the county courts in each county, twelve county judge districts are hereby created:  
District No. 1 shall contain the counties of Saline, Jefferson, Gage, Thayer, Johnson, Pawnee, Nemaha, and Richardson;  
District No. 2 shall contain the counties of Sarpy, Cass, and Otoe;  
District No. 3 shall contain the county of Lancaster;  
District No. 4 shall contain the county of Douglas;  
District No. 5 shall contain the counties of Merrick, Platte, Colfax, Boone, Nance, Hamilton, Polk, York, Butler, Seward, and Saunders;  
District No. 6 shall contain the counties of Dixon, Dakota, Cedar, Burt, Thurston, Dodge, and Washington;  
District No. 7 shall contain the counties of Knox, Cuming, Antelope, Pierce, Wayne, Madison, and Stanton;  
District No. 8 shall contain the counties of Cherry, Keya Paha, Brown, Rock, Blaine, Loup, Custer, Boyd, Holt, Garfield, Wheeler, Valley, Greeley, Sherman, and Howard;  
District No. 9 shall contain the counties of Buffalo and Hall;  
District No. 10 shall contain the counties of Fillmore, Adams, Clay,

Phelps, Kearney, Harlan, Franklin, Webster, and Nuckolls;

District No. 11 shall contain the counties of Hooker, Thomas, Arthur, McPherson, Logan, Keith, Perkins, Lincoln, Dawson, Chase, Hayes, Frontier, Gosper, Dundy, Hitchcock, Red Willow, and Furnas; and

District No. 12 shall contain the counties of Sioux, Dawes, Box Butte, Sheridan, Scotts Bluff, Morrill, Garden, Banner, Kimball, Cheyenne, Grant, and Deuel.

District 4 shall have ~~eleven~~ twelve county judges. Districts 3, 5, and 12 shall have six county judges. District 11 shall have five county judges. Districts ~~2, 6,~~ and 9 shall have four county judges. Districts 1, ~~2,~~ 7, 8, and 10 shall have three county judges.

Judge of the county court shall include any person appointed to the office of county judge or municipal judge prior to July 1, 1985, pursuant to Article V, section 21, of the Constitution of Nebraska.

Any person serving as a municipal judge in district 3 or 4 immediately prior to July 1, 1985, shall be a judge of the county court and shall be empowered to hear only those cases as provided in section 24-517 which the presiding judge of the county court for such district, with the concurrence of the Supreme Court, shall direct.

Sec. 3. Section 43-2,119, Revised Statutes Supplement, 1996, is amended to read:

43-2,119. (1) The number of judges of the separate juvenile court in counties which have established a separate juvenile court shall be:

(a) ~~Before July 1, 1996, one judge~~ Two judges in counties having seventy-five thousand inhabitants but less than two hundred thousand inhabitants; ~~and on and after July 1, 1996, two judges in such counties;~~

(b) ~~Two~~ Before July 1, 1999, two judges in counties having at least two hundred thousand inhabitants but less than four hundred thousand inhabitants, ~~and on and after July 1, 1999, three judges in such counties;~~ and

(c) ~~Before July 1, 1997, three~~ Four judges in counties having four hundred thousand inhabitants or more, ~~and on and after July 1, 1997, four judges in such counties.~~

(2) In counties having two or more judges of the separate juvenile court, upon the swearing in of the second judge, the senior judge in point of service as a juvenile court judge shall be the presiding judge. The judges shall rotate the office of presiding judge every three years unless the judges agree to another system.

Sec. 4. This act becomes operative on July 1, 1998.

Sec. 5. Original sections 24-301.02 and 24-503, Reissue Revised Statutes of Nebraska, and section 43-2,119, Revised Statutes Supplement, 1996, are repealed.

Sec. 6. Since an emergency exists, this act takes effect when passed and approved according to law.