

1 termination of parental rights;

2 (c) Placed for adoption;

3 (d) Referred for guardianship; or

4 (e) In cases where the state agency has documented to the
5 court a compelling reason for determining that it would not be in
6 the best interests of the child to return home, (i) referred for
7 termination of parental rights, (ii) placed for adoption with a fit
8 and willing relative, or (iii) placed with a guardian.

9 Sec. 46. Section 43-1411.01, Reissue Revised Statutes of
10 Nebraska, is amended to read:

11 43-1411.01 (1) An action for paternity or parental
12 support under sections 43-1401 to 43-1418 may be initiated by
13 filing a complaint with the clerk of the district court as provided
14 in section 25-2740. Such proceeding may be heard by the county
15 court or the district court as provided in section 25-2740. A
16 paternity determination under sections 43-1411 to 43-1418 may also
17 be decided in a county court or separate juvenile court if the
18 county court or separate juvenile court already has jurisdiction
19 over the child whose paternity is to be determined.

20 (2) Whenever termination of parental rights is placed
21 in issue in any case arising under sections 43-1401 to 43-1418,
22 subsection (5) of section 42-364 and the Parenting Act shall apply
23 to such proceedings.

24 Sec. 47. An individual may file a complaint for relief
25 and the court may set aside a final judgment, court order,

1 administrative order, obligation to pay child support, or any
2 other legal determination of paternity if a scientifically reliable
3 genetic test performed in accordance with sections 43-1401 to
4 43-1418 establishes the exclusion of the individual named as a
5 father in the legal determination. The court shall appoint a
6 guardian ad litem to represent the interest of the child. The
7 filing party shall pay the costs of such test. A court that sets
8 aside a determination of paternity in accordance with this section
9 shall order completion of a new birth record and may order any
10 other appropriate relief, including setting aside an obligation to
11 pay child support. No support order may be retroactively modified,
12 but may be modified with respect to any period during which
13 there is a pending complaint for relief from a determination of
14 paternity under this section, but only from the date that notice
15 of the complaint was served on the nonfiling party. A court
16 shall not grant relief from determination of paternity if the
17 individual named as father (1) completed a notarized acknowledgment
18 of paternity pursuant to section 43-1408.01, (2) adopted the
19 child, or (3) knew that the child was conceived through artificial
20 insemination.

21 Sec. 48. Section 43-1608, Reissue Revised Statutes of
22 Nebraska, is amended to read:

23 43-1608 The Legislature finds that matters relating to
24 the establishment, modification, and enforcement of child, spousal,
25 or medical support should be handled by the district courts,

1 separate juvenile courts, and county courts in an expeditious
2 manner so that parties may obtain needed orders and other action as
3 quickly as possible.

4 Sec. 49. Section 43-1609, Reissue Revised Statutes of
5 Nebraska, is amended to read:

6 43-1609 (1) The Supreme Court shall direct the district
7 courts to appoint one or more child Child support referees if
8 the Supreme Court determines that child support referees are
9 necessary in order for shall be appointed when necessary by the
10 district courts, separate juvenile courts, and county courts to
11 meet the requirements of federal law relating to expediting the
12 establishment, modification, enforcement, and collection of child,
13 spousal, or medical support and orders issued under subsection (1)
14 of section 42-924.

15 (2) Child support referees shall be appointed by order of
16 the district court, separate juvenile court, or county court. if it
17 is determined by the Supreme Court that a child support referee is
18 necessary. The Supreme Court shall appoint child support referees
19 to serve more than one judicial district if the Supreme Court
20 determines it is necessary.

21 (3) To be qualified for appointment as a child support
22 referee, a person shall be an attorney in good standing admitted
23 to the practice of law in the State of Nebraska and shall meet any
24 other requirements imposed by the Supreme Court. A child support
25 referee shall be sworn or affirmed to well and faithfully hear and

1 examine the cause and to make a just and true report according to
2 the best of his or her understanding. The oath or affirmation may
3 be administered by a district, county, or separate juvenile court
4 judge. A child support referee may be removed at any time by the
5 appointing court.

6 (4) The Supreme Court may contract with an attorney to
7 perform the duties of a referee for a specific case or for a
8 specific amount of time or may direct a judge of the county court
9 to perform such duties.

10 Sec. 50. Section 43-1610, Reissue Revised Statutes of
11 Nebraska, is amended to read:

12 43-1610 Salaries, offices, support staff, equipment,
13 furnishings, and supplies for a child support referee shall be
14 provided by the county and state through funds appropriated by the
15 county and state to the district court, separate juvenile court,
16 and county court. If the Supreme Court determines that appoints
17 a referee ~~shall be appointed~~ to serve in more than one judicial
18 district pursuant to section 43-1609, the salary and necessary
19 travel expenses of the referee shall be paid by funds appropriated
20 by the state to the Supreme Court.

21 Sec. 51. Section 43-1611, Reissue Revised Statutes of
22 Nebraska, is amended to read:

23 43-1611 A district court, separate juvenile court, or
24 county court may by rule or order refer or assign any and all
25 matters regarding the establishment, modification, enforcement, and

1 collection of child, spousal, or medical support, and paternity
2 matters, and orders issued under subsection (1) of section 42-924
3 to a child support referee for findings and recommendations.

4 Sec. 52. Section 43-1612, Reissue Revised Statutes of
5 Nebraska, is amended to read:

6 43-1612 (1) A hearing before a child support referee
7 shall be conducted in the same manner as a hearing before
8 the district court, separate juvenile court, or county court.

9 A child support referee shall have the power to summon and
10 enforce the attendance of parties and witnesses, administer all
11 necessary oaths, supervise pretrial preparation pursuant to the
12 rules of discovery adopted pursuant to section 25-1273.01, grant
13 continuations and adjournments, recommend the appointment of
14 counsel for indigent parties, and carry out any other duties
15 permitted by law and assigned by the district court, separate
16 juvenile court, or county court.

17 (2) Testimony in matters heard by a child support referee
18 shall be preserved by tape recording or other prescribed measures
19 and in accordance with prescribed standards. Transcripts of all
20 hearings shall be available upon request and all costs of preparing
21 the transcript shall be paid by the party for whom it is prepared.

22 (3) A child support referee shall, in all cases, announce
23 orally his or her findings and recommendations to the parties or
24 their attorneys and submit a written report to the district court,
25 separate juvenile court, or county court containing findings of

