

LEGISLATIVE BILL 69

Approved by the Governor February 15, 1993

Introduced by Wickersham, 49

AN ACT relating to county courts; to amend section 25-2706, Revised Statutes Supplement, 1992; to change provisions relating to county court jurisdiction; and to repeal the original section. Be it enacted by the people of the State of Nebraska,

Section 1. That section 25-2706, Revised Statutes Supplement, 1992, be amended to read as follows:

25-2706. The county court shall certify proceedings to the district court of the county in which an action is pending (1) when the pleadings or discovery proceedings indicate there is an amount in controversy in excess of fifteen thousand dollars or (2) when the relief requested is exclusively within the jurisdiction of the district court. The county court shall certify the proceedings to the district court and file the original papers of such action and a certified transcript of the docket entries with the clerk of the district court. The action shall then be tried and determined by the district court as if the proceedings were originally brought in such district court, except that no new pleadings need be filed unless ordered by the district court.

If it is determined, upon adjudication, that the allegations of either party to such action are asserted with the intention solely of avoiding the jurisdiction of the county court, the offending party shall not recover any costs in the county court or the district court.

Sec. 2. That original section 25-2706, Revised Statutes Supplement, 1992, is repealed.