

LEGISLATIVE BILL 411

Approved by the Governor March 29, 1995

Introduced by Janssen, 15

AN ACT relating to civil procedure; to amend section 25-323, Reissue Revised Statutes of Nebraska; to change provisions relating to proper parties; and to repeal the original section.

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

Section 1. Section 25-323, Reissue Revised Statutes of Nebraska, is amended to read:

25-323. The court may determine any controversy between parties before it, when it can be done without prejudice to the rights of others, or by saving their rights; but when a determination of the controversy cannot be had without the presence of other parties, the court must order them to be brought in.

Any person whose negligence was or may have been a proximate cause of an accident or occurrence alleged by the plaintiff, other than parties who have been released by the plaintiff and are not subject to suit pursuant to section 25-21,185.11, may be brought into the suit by any defendant in the manner provided in section 25-331 or by any plaintiff in the manner provided in sections 25-849 and 25-852.

Sec. 2. Original section 25-323, Reissue Revised Statutes of Nebraska, is repealed.