

*Technical rule amendments adopted November 17, 2021, to the rule amendments adopted June 9, 2021, all effective January 1, 2022.*

## CHAPTER 6: TRIAL COURTS

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### Article 17: Uniform Separate Juvenile Court Rules of Practice and Procedure.

#### § 6-1701. Protection of personal and financial information in court records.

To the extent applicable to proceedings within the jurisdiction of the separate juvenile courts of Nebraska, Neb. Ct. R. § 6-1521 shall govern orders, filings, documents, and pleadings in the separate juvenile courts. Neb. Ct. R. § 6-1521 provides as follows:

The following privacy rules shall apply to all pleadings, documents, exhibits, court orders, judgments, and decrees filed in all civil actions in the district courts of Nebraska:

(A) This rule seeks to prevent birth dates, gender, Social Security numbers, and financial account numbers of all persons, including minor children, from being included in court records generally available to the public.

(B) Separate document. The personal and financial information identified in § 6-1521(A) shall be set forth in a separate document as set forth in Appendix 3 to these rules.

(1) Electronic submission. Such separate document shall be submitted electronically as provided by Neb. Ct. R. § 2-210.

(2) Paper submission. If the document is submitted in paper form, it shall contain, at the top of the first page, the following language, in bold type: **This document is confidential and shall not be made part of the court file or provided to the public pursuant to Neb. Ct. R. § 6-1521**. The clerk of the court shall keep the document separate from the case file but accessible to judges and court staff.

(3) Storage of document and/or data. If the document is submitted in electronic form, or converted from paper form to electronic form, the electronic document or the data contained therein may be reproduced or stored in JUSTICE or other court case and financial management system ~~and the paper form shall not be submitted~~. Such electronic document, image, or data shall be electronically marked and shall not be accessible or viewable by the public, except as expressly authorized by written court order. ~~Otherwise~~

(4) Access to documents and/or data by government agencies and officials. ~~Unless otherwise provided by statute, court rule, or court order, access to such electronic documents, images, or data by governmental agencies and officials shall be implemented by agency agreements approved by the Nebraska Supreme Court. Application for access to such electronic document, image, or data by government agencies and officials shall be made by such agency or official on the form provided at Appendix 4, which shall include all information as requested on Appendix 4. Application for access to such electronic document, image, or data by government agencies and officials shall be made by such agency or official on the form provided at Appendix 4 and submitted to the Administrative Office of the Courts, Deputy State Court Administrator for Information Technology, and shall set forth statutory citation(s) or other express authority authorizing the agency or official such access to personal and financial information as identified in § 6-1521(A) and/or information as contained on the Appendix 3 document. The Appendix 3 information shall be provided to the child support division of the Nebraska Department of Health and Human Services, but shall not otherwise be made available without further court order. The form in Appendix 3 may be used in any civil case and shall be protected as stated above.~~

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(F) The name, birth date, gender, and Social Security number information of parties sought to be protected by this rule may be furnished to the clerk of the court by the parties prior to issuance of any order or decree. This information shall be furnished ~~in electronic form through the e-filing application or~~ by submitting the form provided in Appendix 3. Protection of this information shall be as set forth in § 6-1521(B). Where a party or counsel is required by statute or rule to furnish information identified in § 6-1521(A) to a court or clerk of the court but such information is not required to be filed, the clerk of the court shall not place such information in the court file or allow such information to be accessible, ~~either in paper or electronic form,~~ to the public.

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**§ 6-1704. Appointment of counsel in juvenile cases.**

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(D) Before the claim of any attorney appointed by the court is allowed in juvenile matters, such attorney shall make a written application for fees, ~~positively verified~~ certified to be true and correct, stating time and expenses in the case, and shall serve the same upon the county attorney. For interim applications, a general itemization of fees and expenses incurred shall be certified. Counsel shall also state in the application that counsel has not received and has no contract for the payment of any compensation by such client, or anyone in the client's behalf, or, if counsel has received any fee or has a contract for the payment of same, shall disclose the same fully so that the proper credit may be taken on counsel's application. The application shall be filed with the clerk. If a hearing is required, the time and date of hearing shall be set by court order or notice of hearing.

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