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January 24, 2021

Members of the Judiciary Committee

Re: LB45 – Repeals Anti-Continuance statute

Dear Senators:

The League of Women Voters of Nebraska supports LB45 which gives judges the opportunity to grant continuances in eviction proceedings. The LWV supports fair housing legislation that protects economically disadvantaged families. This bill gives a tenant a fair opportunity to defend themselves.

Existing law prevents judges from granting continuances in eviction proceedings unless extraordinary cause is shown and accrued back rent is paid. Currently, Nebraska is the only state that requires a showing of “extraordinary” cause to obtain a continuance; rarely can anyone meet the extraordinary requirement.

Courts routinely grant landlords continuances, but routinely deny the same to tenants. This bill provides judges greater discretion by eliminating prohibition on granting continuances except in extraordinary circumstances.

The League strongly supports LB45 and urges you to advance it for debate by the full legislature.

Thank you for your consideration of issues to improve Fair Housing protections.

Sincerely,

Gerry Sullivan, LWVNE Social Policy Committee
Carol Dennison, LWVNE Director of Social Policy