



Pete Ricketts, Governor

MEMORANDUM

To: Juvenile Pretrial Diversion Programs
From: Amy Hoffman, Director of Juvenile Diversion Programs
Date: June 9, 2020
Re: Civil Demand Letters – LB 71

Legislative Bill 71 repealed Nebraska Revised Statute § 25-21,194, which allowed for a civil cause of action for damages and costs associated with shoplifting. The Legislature passed the bill on March 1, 2019 and was signed by Governor Pete Ricketts on March 12, 2019.

Many families participating in juvenile diversion programs have experienced receiving civil demand letters for monetary payment following a shoplifting incident, even if restitution was paid or the establishment did not experience actual damages. Understanding the use of civil demand letters in Nebraska and this statute change will assist programs in educating families if they continue to receive the letters citing section 25-21,194.

For more information on civil demand letters and their use in Nebraska, please see Nebraska Law Review article *Stolen Profits: Civil Shoplifting Demands and the Misuse of Neb. Rev. Stat. §25-21,194*, available at: <https://digitalcommons.unl.edu/nlr/vol95/iss1/3>. (Ryan P. Sullivan, Daniel Gutman, and Chris Schmidt, *Stolen Profits: Civil Shoplifting Demands and the Misuse of Neb. Rev. Stat. §25-21,194*, 95 Neb. L. Rev. 28 (2016)).

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