

process makes me feel that it ought to be made confidential. By its being revealed during this process does not put it in the status of information that cannot be revealed outside of that process by the one who reveals it during the process. It simply takes the onus off the mediator. The mediator is not rendered an accusatory arm of the criminal justice system by virtue of being the mediator in this process. So for those who think that the alleged abuse would be serious enough for consideration in another form, the question to ask would be, why the person who makes the revelation during mediation had not made it before. There is nothing that would prevent that person from making it subsequent to a disclosure during this process. So what my amendment would do is to add language and strike a sentence so that it would be clear, if my amendment is adopted, that whatever information is revealed or disclosed during that mediation process would be confidential. And if there are any questions that you have, I will answer them. We should keep in mind that this bill is dealing with a set of circumstances which makes some of us uncomfortable when we think about the state intruding and giving a boiler plate listing of numerous specific things that have to be considered. When legislation goes into that detail, then I think a problem is created. We cannot change the provisions of that statute without an amendment by the Legislature. If this is to be a flexible or I might even say fluid process which can consider all matters that seem appropriate, it should not, at the same time, become almost a codification of all of the issues that in some people's opinion people should be compelled to be put into one of these agreements. So before going into that aspect of the bill, and I think there are other areas that need amending, I am just asking that you adopt this amendment, which would make sure that whatever is disclosed during mediation is confidential. The significance of that, to put it in a nutshell, is that the mediator does not have to report to anybody anything which is disclosed during that process of mediation. The amendment, if you want to look at it again, is found on page 1492 of the Journal, and it is FA8, I believe, so I will ask that you adopt that amendment.

SPEAKER BAACK: Thank you, Senator Chambers. Discussion on the Chambers amendment, Senator Ashford.

SENATOR ASHFORD: Thank you, Mr. Speaker and members. I rise to oppose the amendment which is a change to some degree from my statements I made the last time the bill was up, but I want to