

explain my concerns and my reasoning for this, for my position. First of all, Senator Chambers raises an excellent point and that is that the issue of domestic abuse is a sensitive issue, and it is an issue that impacts children, and it is an issue that could come up at any stage in the proceedings in a divorce case. But it is my...my concern is that, is also, I believe, a concern that Senator Chambers does have, and that is that the mediation process should be one, in order for it to work at all, it needs to be one that is voluntary, it needs to be one where issues such as domestic abuse are not a part of the process. And what I mean by that is this, that you cannot have a voluntary mediation process if one of the individuals involved is in fear, it's primarily the female who is in fear of her safety because of controlling behavior on the part of the male in the proceeding. And there is an awful lot of evidence that that goes on in families, and that those issues then become issues in divorce cases. So those kinds of circumstances where there is domestic abuse in the family are not proper cases for mediation. And I think any expert in the area of mediation would tell you that and that that is one of the reasons why in this bill we made it absolutely clear that anyone who would mediate would have to have some experience in this area. But I would rather deal with the issue that Senator Chambers raises this way, and I have an amendment which I believe is coming up next, or one...next or one amendment later, which is an amendment that I discussed with Senator Rasmussen and Senator Schimek, which very simply says that prior to commencement of mediation the parties to mediation shall be notified by the mediator that evidence of any abuse shall be reported pursuant to state and federal law. This is an added bit of insurance that mediation will not go forward if domestic abuse is an issue. And it takes into consideration the concern that Senator Rasmussen raised at the last...on the last debate which was that, obviously, if a mediator, not obviously, but if a mediator does find out about abuse, that he or she has an obligation, both legally and ethically, to give that evidence to somebody else. So it takes that concern, I believe, into consideration. Lastly, let me say this about the state intervening. I understand exactly what Senator Chambers is arguing, but I would suggest to you that mediation is a freeing process and is not an intrusive process. We've made amendments to the parenting act...the parenting plan provisions of the act to not, I think in response to Senator Chambers' amendment, not to require the court to implement a parenting plan if the parties do not agree, and I know that was one of Senator Chambers' concerns. So the