

SPEAKER BAACK: Senator Chambers, would you respond, please?

SENATOR ASHFORD: And I believe Senator Hohenstein has come to the rescue with some language hopefully that will solve this, but, Senator Chambers, and correct me if I am wrong, is the situation that you're...I know what you're generally concerned about, but are you concerned about specifically a situation where you get into a mediation and the parties start getting mad at each other, for example, and an allegation of abuse comes out in the...in the middle of the mediation process, and the mediator who is in the middle of that automatically says, oh, my goodness, stop the mediation. I have got to go down to the county attorney or to the local law enforcement office to file a charge or to report this, is that some part of it?

SENATOR CHAMBERS: I would use the example of the two getting angry when we come to the other provision you all have talked about. What I am looking at is where there may not be anger between the two parties at all. They are just discussing some of the difficulties they've had, and in the process of discussing, disclosures are made. Not...and that's why I wanted to get away from an allegation and just use the term "disclosure."

SENATOR ASHFORD: Okay.

SENATOR CHAMBERS: The intent is not for one to accuse the other to create a problem. But regardless of how that disclosure comes about, the mediator is required then to make the complaint.

SENATOR ASHFORD: Thank you. Again, now I think the point is the same. There needs...the concern I had last time and what the proposal I have is a premediation notice, but what Senator Chambers is talking about, Senator Hohenstein I believe is drafting, is to put into the process the judge, who is already in the case anyway, to act as a buffer between the mediation process, abuse, and enforcement, and that may be a very good way to handle it. I haven't seen the wording but I believe Senator Hohenstein, who has had a great deal of experience in this area, can explain it, but I would defer to him and he may have the answer here. We will see, as he files the amendment to the amendment. Thank you, Mr. Speaker.