

the court, the information would be available to the judge and the judge would make a determination at that point. All we are doing here is dealing with abuse within the context of the case as it exists, and it is no different than a divorce case where there isn't mediation. The judge is the arbiter. If the judge determines that there is actionable abuse, then the judge would take some action. It is a middle ground amendment. I don't...I don't think Senator Wesely's concerns...I understand Senator Wesely's concerns, but as long as a judge is getting the information, the judge has the obligation to review it and to analyze it, that will happen very quickly I am sure, or after a hearing, and it will be a much fairer determination. Remember here we are talking about the best interest of the children, that's really the reason for this process, and to try to take some of the pressure off child custody cases. And if we take it out of the context of the court entirely and into law enforcement without the judge intervening, I think we might be creating a great deal more tension than what already...than what already exists, but you still are going to have reporting under the Hohenstein amendment. In fact, you are going to have the best reporting possibly, because it is going to go to an arbitrator, and arbiter, the judge, who can make a determination as to what he or she should do. For example, the best example I can give you why this is a good example is that the judge hears about the abuse, the judge can take immediate action to take the children out of the home, to take immediate action to appoint a guardian, to take immediate action to make sure that this case is properly dealt with. That law enforcement officer would have to, in order to take any of that action, would have to go to a judge to get the order to do it, or...eventually, so I think the Chambers amendment does a couple of things. One, it creates that buffer. Two, it keeps the case within the context of the divorce case. And, three, it gives a judge, who is going to have to decide these issues about abuse anyway, immediate information about abuse allowing the action, if necessary, to be taken, or if it is not necessary, then it would...then he could go back, the mediation could continue, but I would doubt if mediation would continue at that point because there would be so much disruption that it is doubtful the parties would voluntarily agree to go back to mediation. Again, I think we are talking about, though abuse is certainly prevalent in our society, we are talking about a situation where parties are going to be notified that abuse, it must be reported. There is going to be a process for reporting of abuse. I don't think you are going to get a lot of those kinds of cases in mediation, and