

first section of the Ashford amendment. All those in favor vote aye, opposed vote no. We are voting on the first section of the Ashford amendment, have you all voted? Have you all voted on the first section of the Ashford amendment? Record, Mr. Clerk.

CLERK: 25 ayes, 0 nays, Mr. President, on the adoption of Senator Ashford's first amendment.

SPEAKER BAACK: The first section of the amendment is adopted. Senator Ashford, would you like to open on the second section?

SENATOR ASHFORD: Thank you, Mr. Speaker. Again, what this section does is require that the mediator inform the parties of the mediator's obligation to report evidence of abuse, and that's the extent of it. We did them in reverse, didn't we?

SPEAKER BAACK: We did number 1 first. On the second section, Senator Chambers.

SENATOR CHAMBERS: Mr. Speaker and members of the Legislature, the reason I am looking at this aspect of the bill so carefully is because of the delicate nature of the relationship existing between the two parties who are in the process of mediating. If the kind of Miranda warning, as I call it, is issued in the language that Senator Ashford's amendment contains, what, in effect, it said is to these people anything that you say that implicates you can and will be used against you in a court of law. Anything that the other one has done, if you accuse them, will be used against them in a court of law. I don't think we want to set up a circumstance where the mediator might put a stick in the hands of one or both of the parties. If you simply told these two people that if any information relative to abuse should be disclosed, then there will be a report to the law enforcement officials or whatever would be the way that is expressed, we could have a situation where the negotiations go along; one becomes angry at the other, and then comes the recollection of what the mediator said. So let's say a false accusation of child abuse is made just to get this one in trouble, then we have exacerbated a situation by giving information, when that's not our intention. What would be best, if we are going to use this kind of language, is to indicate that the mediator would explain to these people that in the event one of these disclosures is made, it would go immediately to the judge, and there would be hearing in the judge's chambers to determine whether or not this allegation, accusation, or