

few votes so the decision that we reached on the merits one week ago will be reversed. It seems to me that if there is a time wasting process that is going on, it is this one of rehashing the same argument within a matter of a few days. But, since the subject has been brought up let me remind you of some of the arguments on the other side again. First of all the process that you are instituting will be a costly process that is probably not going to be needed in 99% of the cases and in the cases where it is needed, more likely than not the judge will have a lawyer appointed. First of all don't forget the basic principle, as this bill provides, a notice has to be given to each and every person for whom guardianship proceedings are instigated. That notice now has to specifically say, in accordance with this bill, that certain things are going to be done, that they have a right to go out and get an attorney. So, this bill doesn't take away anybody's right to get an attorney. They have a right to go down and get an attorney. But now what you are saying is that there has to be an attorney in every case. The process of setting up guardianship's in my opinion from costing a hundred to two hundred dollars in each case, and maybe not even that, is going to be jacked up to \$500 to a \$1,000 each case and maybe more in some cases. If you are concerned about a litigious society and how litigious our society is becoming, you are going to be contributing to this process for no good reason, in my opinion, by expanding a necessity for lawyers in these types of guardianship proceedings as comprehended by Senator Johnson's amendment. Let me point out to you again that the bill, in addition to the notice provision that I just talked about, has a whole set of proceedings in it that the judge can use to determine whether a lawyer is necessary. For example, the judge can appoint a visitor and the visitor, if a visitor is appointed has to go out and look at the place of abode, has to look at the patients or the alleged incompetent persons ability to arrange his own medical care, to protect his own medical effect, to give consent and releases, training, education, rehabilitation, a whole list of ten different items that the judge can have a visitor inquire into to determine whether it is necessary to have a lawyer or not. It may be that some day in the future that we will decide that lawyers are necessary in every case. But, I think that 428 without the provision requiring a lawyer...

PRESIDENT: One minute Senator Beutler.

SENATOR BEUTLER: Is a good step in the direction of the protection of those for whom guardianship's are set up without going to the extreme of requiring a lawyer at this point and time. It is a good compromise, I think we should stick to the decision we made one week ago and not allow the lobby to influence that decision. Thank you.