

body. My position on the Smith amendment, although again I understand that she's trying to find a compromise to this, I would feel that in all areas where law is addressed that the courts are, in fact, the final, binding authority; that a citizen review panel would be just exactly that, it would have absolutely no authority to change or modify plans either of the court, nor of a state agency. I would share with you some comments out of a letter from Judge John P. Icenogle where he comments on a conversation with Mr. Hunter Hurst of the National Center for Juvenile Justice in Pittsburgh, Pennsylvania, where he says Mr. Hurst advised me that a plurality of the states have now embarked in a program which allows the initial treatment decisions for a child placed in a state agency to be made by that agency. However, he advised me that all other states, all other states have some form of procedural due process which can limit or cap the authority of the state agency. And then he goes on to state how they provide, in one way or the other, recourse for an aggrieved party through the courts to contest placement decisions on the part of that state agency. So, while I respect Senator Smith, I certainly cannot support her amendment, and I would give the remainder of my time to Senator Abboud.

SPEAKER BARRETT: Senator Abboud.

SENATOR ABBOD: Mr. President, colleagues, thank you, Senator Coordsen, for allowing me a few minutes of your time. I rise also in opposition to this particular amendment. I think we're going to have to realize that really there is no middle ground on this particular issue. And I think it's a bit unfortunate that the Department of Social Services has become involved in the decision-making power, which I feel should have been always...should have been and should have remained in the courts. It really...it's an interesting situation that we're talking about, because at least with the judicial system you do have some review. I recall we had a juvenile judge in Douglas County a number of years ago who was not well liked by a large group of...a large contingency of individuals that had a lot of reviews before the juvenile justice system, and that particular judge was voted out of office because of his beliefs on how children should be taken care of. That shows, I believe, that the system does work. Taking care of children in our society is probably one of the more controversial areas that the court system has to deal with, but at least we do have accountability, and the accountability is in the form of voting the judges out