

issue. As I recall, the current law does have a provision for submission of evidence by affidavit to the court. The reason why I introduced this amendment is twofold. Last year, when we debated LB 769, at least my thrust and arguing on the bill was the concern that the Minnesota Federal Court had in regards to the workability of LB 769, I think at that time we discussed the general feeling that certainly in an ideal situation parents should be notified or involved in the decision-making process involving their daughters in an abortion situation. I think everybody generally feels that in an ideal situation that that would be best. However, there were some problems in Minnesota that came about because of the court system's somewhat inability to deal with the judicial bypass provisions of the Minnesota law. In fact, what has happened in Minnesota generally is that the vast majority, since parental notification was introduced in Minnesota, the vast majority of cases that were brought before the court system in Minnesota were approved, or the petitions for an abortion were approved. In fact, the statistics that I have indicate that between 1981 and 1985 there were 3,573 petitions for abortions by minors in Minnesota and, of those, all but nine were accepted by the courts. In those particular cases, and in the Minnesota situation, of course, what is required is that a petition be filed, that the minor appear in court and that the judge make a determination as to whether or not that minor ought to have an abortion, or I think the Minnesota law is whether or not it is in the best interest of that minor that she have an abortion. In some, most of the cases fell, apparently from the information I have, fell on the issue on maturity and that sort of thing. It seems to me that the experience in Minnesota, one of the only states that has parental notification, is to the effect that the judicial bypass procedure is, what we call in legal parlance, just a summary proceeding, where the judges in almost every case have found that an abortion should be granted. Therefore, the judicial bypass, if it is the intention of this bill, by this bill to stop abortions of minors, it appears as if in Minnesota that has not been the experience, that the judicial bypass is under Minnesota law, at least their reading of the law, a constitutionally required procedure, that it is just that, just a constitutionally required procedure. It really doesn't...it isn't substantive. It really, the debate, the abortion debate apparently does not follow that minor into the courtroom because the courtroom or the situation or the courts have approved almost every abortion. Therefore, it seemed to me last year, and it seems to me now, that what we ought to do is simply do