

not the case like court where I can drag you into mediation. Both parties have to say, well, gosh, you know, if we can do this faster at lower cost and be able to talk about all the range of issues we want to talk about, rather than what the legal theory is, well, let's both go. That has to happen before people can use mediation.

SENATOR ELMER: This mediation process that you are proposing in LB 90 then can be two individuals, an individual and a finance company, an individual and an insurance company, two banks against each other, no matter what the entity might be, whether it's corporate or private.

SENATOR LANDIS: That's right. If you take a look at Section 11 of the bill, on page 9, Owen, it says that the following types of cases may be accepted for dispute resolution at an approved center. I do not regard that as a complete list but it does say civil claims and disputes. And everything you have just described could potentially be a civil claim or dispute. In that sense, I think it's available for the use of the mediation process.

SENATOR ELMER: Thank you, Senator Landis. Thank you.

SPEAKER BAACK: Thank you, Senator Elmer. Senator Kristensen.

SENATOR KRISTENSEN: Thank you, Mr. Speaker, and members, I suppose the first thing that you might say is, oh, oh, here stands up one of the lawyers and is going to take a rip at this because it's going to cut down on the work of lawyers and so on and, my goodness, we sure couldn't allow that. Why those people are out there barely making a living and, why, they're not going to have enough work to do on Senator Lamb's railroad when it goes belly under to represent everybody. But I'm going to save that speech. Actually, I rise in 100 percent approval of systems like this. The court system is a wonderful institution. Our system of justice is a wonderful institution. It's designed and it has tremendous strengths. It accepts every case that's filed, every problem that can arise, maybe it doesn't come to the best solution but it makes decisions. And the court system is there as the ultimate decider of disputes but that doesn't mean it needs to be the decider of every dispute. What is so good about alternative resolutions and different procedures is it takes things out of court. We can't have every dispute going to court. It's frustrating to me as a practitioner. It's