

SENATOR BEUTLER: Senator Landis, a few questions, if I may, just to explore the scope of what you want to do here. One of the concerns that I have...and I'm going to play devil's advocate here for awhile because I really do like the concept generally. But we talk about how litigious...did I pronounce it right, we are today in this society and sometimes I wonder if by making it more convenient to be litigious that we don't start to trivialize the system and enhance every dispute, every disagreement, no matter how reasonable or unreasonable, to the level that it's something that society should intervene in, in an organized way, in order to address. And you indicated earlier that these mediators may be paid, may not be paid, the bill says they can be paid or they may not be paid, so we can go either way on that. But if we start having paid mediators, then there needs to be something for the paid mediators to do and I worry then about them accepting cases and there's no criteria in this bill for which cases are accepted and not accepted. I worry about them accepting cases where we really should just say to people, come on, there's some things you've got to live with, this is not that big a deal, there shouldn't be society-paid mediators available to you free of charge for resolving something that's not worth the price of a good person spending a couple of hours on it or a couple of days or whatever it takes. How do we know that's not going to happen?

SENATOR LANDIS: We don't know that that's not going to happen, just as there is no minimum jurisdiction level to court cases. Now, you may not be able to take your dispute to any court you wish to but there will always be a court for dispute of \$1.75.

SENATOR BEUTLER: But I know that if I go to a court that I have to pay a filing fee anyway and I also know that I have attorney's fees. So I know it has to be a matter of some substance before I go to court. Is that good or is that bad?

SENATOR LANDIS: My experience is that those people who say to themselves the costs of going to court outweigh the benefit are those who have a tough time paying it. There are, for example, insurance companies that will take very trivial amounts to court because they have the resources to do that and they want to establish a reputation that cuts out those kinds of questions and they're prepared to pursue justice at great expense. For that reason, I'm not sure that we can draw a single standard along those lines. But, at the heart of the question, I think,