

of the bill. Just two points, briefly. One, I believe, is that the time for mediation has come as a formal process. I think the State Bar Association has expressed interest in mediation. They're trying to encourage their members to use mediation whenever they believe it is possible. I think the American Bar Association has taken the same position. In fact, I think there have been extensive studies to show how to implement mediation and to make it work. We have heard some discussion here about the cost of the mediation centers. I would suggest to the body that if we're able to reduce judicial workloads through the use of mediation, that we will have, in fact, some cost savings that do not show up here on the fiscal note. I'm not going to suggest to you that those things would balance out but it seems to me that any time we have an opportunity to reduce judicial workloads we have an opportunity to save money. The other aspect of this that I think is important and it has been raised by Senator Landis is that my sense from my practice is clearly that people are more satisfied if they can come to a reasonable agreement concerning their dispute rather than having that dispute submitted to the full adversarial forum of a court. Quite frankly, it's been my experience that people very seldom are satisfied with the result that they obtain in court. They either feel that it has cost too much in terms of funds. They feel that it has cost too much in terms of their personal time. They feel that it has cost too much in terms of their own emotional involvement or other factors. They just very seldom get everything that they want and they always are in a position where it costs more than they want. If we can...if we can formalize a process and give them access to mediation so that they do not have to incur those costs, make sure that they are aware that our interest is in the resolution of their disputes, not the fostering of disputes, and their interest, I'm sure this program will be successful.

SPEAKER BAACK: Thank you, Senator Wickersham. Senator Schmit.

SENATOR SCHMIT: Mr. President and members, Senator Hartnett wanted me to address the issue as to how many cases had actually been mediated under the Farm Mediation Program. And, Senator Landis, you may have to correct me, I'm not certain, but it seems to me that there have been approximately 400 cases that have requested mediation, approximately half of them actually went to mediation, and the success ratio or the satisfactory completion of the mediation process and those who did go to mediation is about 90 percent; much greater, I believe, than we