

consultation is usually desirable and in the best interest of the minor.

SENATOR LABEDZ: Yes.

SENATOR LANDIS: To whom is that addressed? And specifically I'm asking you, is it addressed to the judges who are handling judicial bypass cases?

SENATOR LABEDZ: I would say that it is and it is also addressed to the bill itself. The bill itself is parental notification.

SENATOR LANDIS: Thank you, that's sufficient, I understand. It is addressed though to the judges who are handling the cases.

SENATOR LABEDZ: Yes.

SENATOR LANDIS: Mr. Speaker, members of the Legislature, this seemingly is intent language. This provision is very, very significant. Senator Labeledz confirms that what she is doing is sending a message to the judges as to how they should rule in their cases. What she is saying is I'm sending this message to the judges and I'm telling them that we, the Legislature, say that it is usually the case that parental consultation is desirable, which means that a judge, to conform to what the legislative intent from Senator Labeledz basically is, is that in about 51 percent of the cases or more they should not rule in favor of the child's motion to act on their own will, but require parental consultation by declining the petition of the plaintiff in the case. It is not for us to tell the judges what factual conclusions they should come to. It is not for us to instruct them as to what percentage of cases, or preponderance of cases, or results they should reach. If this is purely intent language, we would use Section 1 and Section 2, we would not have Section 3 up there or in the alternative, it would address the entire populace and it would not be directed to the judges who are facing a limited number of cases. The problem is that if this is addressed to everyone, the situation where it's usually sensible to have consultation makes sense because in the majority of circumstances, consultation will, in fact, occur, 55 percent of minors tell their parents. To say that would be no basic change, but for Senator Labeledz to say this is directed to judges means that in the limited universe of cases in which minors have come to the court for help, we are telling judges that we expect them that in the usual circumstances to find