

have to administer it. Not practical, says one. This is particularly true in the smaller counties where the judge is not present and may only visit that courthouse once a week or once every two weeks. I suspect that this bill would be better off with a seven to ten-working-day provision. And it might be possible to schedule a hearing. Here's another one. I do feel that a court could reach a decision promptly and without delay but in the smaller communities there may be times when there is no judge available for three days to have any hearing to resolve the question. If an attorney is appointed, I cannot believe that the attorney will be able to drop everything, interview the woman involved and make a decision within that three-day period whether to proceed or not before the court. Here's another. Again, these are separate judges now. What would happen if the available judges were both involved in a serious criminal jury trial when a three-day notification proceeding, all of a sudden, appeared? Would the judge be required to stop the jury trial, risking a potential mistrial to handle the jury bypass procedure contemplated under 425? Here's another. The definite exception is that the hearing, the appointment of a guardian ad litem, if necessary, and the proper notice cannot be done in three working days.

SPEAKER BAACK: One minute.

SENATOR BERNARD-STEVENS: In rural areas the judge may not be available in some of the counties for a significant period of time. If you need more, here's another. As an example of a time crunch a three-day period will cause, I would like to direct your attention to Nebraska Revised Statute 42-901, Protection From Domestic Abuse Act. That requires hearings within 14 days. Now on domestic abuse we're saying we need to expedite but you have to have it in 14 days. The 14-day requirement of that law, because of travel and scheduling, is difficult to adhere to. Most judges typically schedule weeks and months...excuse me while I turn the page, in advance. Rearranging the schedule to accommodate one of these hearings under LB 425 within three days is unrealistic. I would suggest a 14-day period which would be difficult. And I've got an entire two other...or a page and a half more...

SPEAKER BAACK: Time.

SENATOR BERNARD-STEVENS: ...of quotes from the judges about the three-day period. And I will put my light on and talk further.