

me to vote for 425, but I am concerned about offering it because it, to me, clarifies some of the intent, how the judicial bypass system will be confidential as well as expeditious. I want to thank Senator Lindsay and Senator Beutler for co-sponsoring it. Senator Lindsay probably has done a lot of the work on this amendment and any of the legal questions I'm going to defer to him and I'll try and give you a summary of what the amendment is all about. Basically the first part of it clarifies that the petition for judicial bypass may be filed by the minor either in person or by mail or through a fax. This does not require the courts to have fax machines, but if they do they can be transmitted that way. It also indicates that the state court administrator would develop the petition forms and instructions on the procedures for petitioning the court as well as the appeals process will be defined and, therefore, uniform throughout all the court systems. The instructions on those forms would include the name, address, telephone number and fax number of each court in the state. It further identifies that these forms will be available in every courthouse in such a place that the general public has access to them without having to ask five or ten different people where they are at. The third major part of this amendment addresses the confidentiality of the judicial bypass. First of all it indicates that all proceedings will be in the judge's chambers. Second of all, that only those that the minor requests be in there, her guardian ad litem or counsellor, along with the judge will be present for the hearings. It also indicates that all that testimony will be sealed by the clerk and not open to inspection unless so ordered by the court. And, fourthly, that the court would be required to have a separate docket for these hearings. In terms of counsel for the young girl, it requires an appointment of the counsel at the appellate level if the minor is not already represented by counsel to be paid for by the county in which the proceeding is held. The time lines or the process of the judicial bypass are explained in this amendment. It indicates that the court must rule on the original petition within seven calendar days from the time that the petition is filed. And if the court fails to rule within that time period, the minor can file for a writ of mandamus with the Supreme Court which must be issued within three days. If the court authorizes the waiver, a written order would be given immediately to the minor and don't ask me what that means because I still am not clear what the word immediately means, but it would be given to whoever the minor indicates it should be sent to, either her guardian ad litem, attorney or any other person that she has