

or more of the following reasons. First, no reasonable possibility of an effective plan. Second, allegations of physical or emotional harm to a party or a child. Third, failure to serve the best interests of the child, which is a very subjective area, but really that's what this whole dispute is about. What is in the best interest of the child? And then the two other sections where the mediation may be terminated, upon adjudicated finding that no physical or emotional harm exist for either party or a child, mediation may be initiated or reinitiated, or if mediation is not appropriate, the mediator shall inform the court. Again, a great deal of latitude on the part of the mediator to terminate at any time. And I might stress that it's important here that the mediation can be terminated upon physical harm or not even physical harm, if that the mediator feels it's not in the best interests of the child. They say, parties, you can go have at it in the courtroom and, really, that's really what this bill is all about. It's nonbinding, it's a mediation in which the parties may eventually end up in court anyway. There's a lot of TV shows that talk about divorces and trying to decide what is in the best interest of the child and I think the public has a general perception of it and some people sit down and they talk about it, they bring in the children, they discuss the divorce and the eventual custody and support that the children will be getting and some people just can't stomach each other. The years of acrimony that have built up in their marriage have resulted in a situation where both parties are unable to discuss in a reasonable and rational manner what should be the proper level of support for those children, what should be the proper level of visitation for those children and who should have custody of those children. And the mediation is an attempt to bring those parties together prior to going into that courtroom.

PRESIDENT MOUL: One minute.

SENATOR ABOUD: And I might add that it may not work in 50 percent of the time. It may not work in 20 percent of the time, but if it works a few times and it brings those parties together and it's our hope that they will be looking out for the best interests of that child rather than their own self-interest which sometimes happens in the course of a divorce. So this amendment really goes to the crux of the entire bill and I feel there's enough safeguards in there to terminate if there is any endangerment of that child, so for that reason I plan on voting against this amendment. Thank you.