

is when this bill went through committee it was amended. It was amended to say that the parties were required to only have one meeting. It was required, and that is why we went with the one meeting requirement and the one party request requirement is a way to not make it so mandatory, so that if one person requests the mediation, the mediation occurs and only one meeting is required, and that was in the committee amendments. The bill went through the committee without any "no" votes. The committee amendments made the compromise that exists, and Senator Kristensen and Senator Landis both are lawyers and they've devised a great...you know, the great lawyers negotiating technique of making the deals and then, after the deals are made, coming back with other amendments once the initial amendments are agreed to or the initial deals are agreed to and I understand that and that's fair because Senator Landis has some legitimate concerns about mediation. But I would suggest to you that this...that the process has been gone through; that the amendments were made, there were no "no" votes in the committee to the amendments and now the Bar Association primarily is coming back and saying, no, no, this is not good enough, this is going to take too much away from the way we try these cases today, let's add another amendment to make it absolutely voluntary. And I guess and I would say again that if we take, make it absolutely voluntary that we really haven't done much at all, if anything, and it gets then questionable whether or not the bill is worth...worth its continuing on. But I'm not going to make that point at...statement at this point, but I think we need to discuss that and think where are we going to go if it's purely voluntary.

PRESIDENT MOUL: One minute.

SENATOR ASHFORD: I don't see it as being very advantageous. And the judges who try these cases every day who are involved in mediation will say that, in their courts, it is obligatory or mandatory, and this is not obligatory and mandatory to both parties. One party may request it. I guess those are the points that Senator Kristensen made. The abuse issue was brought up in the hearing. It was brought up over the interim and we tried to work this...this...this bill out. We may not have gotten it exactly right, Senator Bohlke, on the abuse. It certainly was an issue that we discussed and we need to look at it again to make sure that the abuse situation is covered, and I agree with that. I think that's a reasonable request. But, again, I...hopefully that this bill can be advanced without this