

because I think a year later and reviewing the committee amendments, which we're looking at right now, Judge Icenogle certainly has a different opinion and view of this bill. In closing, though, from my point of view, I had an oppor...I had a rare opportunity to go to the Noncustodial Parents Association and met with a group of people who did open my eyes and who I saw a lot of frustration and anger and it was a very good experience for me. Unfortunately, that is very typical of what has happened in a lot of divorce actions. People who want to get along and who can get along, despite the fact they're being divorced, will participate in voluntary mediation and the system will work because they realize they have differences among themselves but yet can still work out some issues with their children. Those who do not, those who want to be disagreeable, those who want to be acrimonious will do so. Forcing them into a room for mediation will not work. I support the amendment. I think it's consistent with our system of mediation that was established through LB 90 a couple of years ago, that we should continue that system and make it consistent. With that, I would yield back the rest of my time to Senator Landis.

PRESIDENT MOUL: Senator Landis.

SENATOR LANDIS: Thank you, Madam President, members of the Legislature. First of all, I want you to understand I want to vote for 728 and I'm a supporter and there are many good provisions in this bill without regard to what happens with this amendment that should become Nebraska law. What we're down to is one concept and that concept is whether or not a party that does not wish to take an issue to mediation can be obligated to take a personal interview and then to take a joint interview at the behest of the other party. The point I want to make, actually there are four points I want to make. First, this amendment which says that you have to have both parties consenting before the mediation proceeds, this amendment is consistent with existing Nebraska public policy. We fought this issue actually before five years ago on farm mediation. We came down on the side of voluntary mediation. There have been hundreds of cases in which it's been utilized successfully because both parties had good reasons to be there. Just as good reasons will be there for divorcing parents to talk to each other about parenting plans for their children. Secondly, this amendment is consistent with the principle of mediation, which itself is a voluntary mechanism and it's meant to be voluntary. It draws its strength from being voluntary. Third, this