

SENATOR VRTISKA: Thank you, Madam Chair, members of the body. I rise in support of the committee amendments. I think they add some value to the legislation that we've proposed, so I certainly support them. As far as the Avery amendment, I can see why he's doing it and I understand why he's doing it and I understand the process that one personal...at least one personal visitation with the juvenile within the first 18 months certainly has some merit. I guess I had some concerns about that because this is one of the things that there was some objections to when we were originally drafting the bill. However, I'm not going to oppose it, I'm going to leave that up to the body to make their own decisions how they feel. This would fit into the total scheme of the...of LB 305. Thank you.

PRESIDENT ROBAK: Thank you, Senator. Senator Beutler, to speak to the Avery amendments to the committee amendments.

SENATOR BEUTLER: Madam President, members of the Legislature, I guess I'm speaking against the amendment. But I wanted to talk generally about concepts here a little bit because this is one of those areas where I feel that historically we have started mixing concepts and we're going down a path that doesn't make any sense and is probably going to cost us a lot of money. Guardian ad litem, what is a guardian ad litem? Guardian ad litem used to be a term of art, and a guardian ad litem was a person appointed to represent a juvenile in a legal action, okay, to take care of that juvenile in a legal action. Now, if you look through 43-27201 and related statutes we started mixing another concept in there, and that concept is the concept of parent. The guardian ad litem now is to look at the social interests of the child, including reasonable expectations of society, et cetera, et cetera. The problem with doing that from my perspective is that this person, one, probably doesn't care about the child; and, two, is not going to be around the child that long to develop any sort of personal interest in the child. To me it seems improbable that you're ever going to take a short-term relationship, like a guardian ad litem relationship and develop that into anything that can be helpful to the child. It seems to me that basically what we should be doing is being sure that the child is well represented in the legal proceeding, which is where we started, and that the job of parent then is taken over by the caseworker in the event that that's where the child is taken physically, where the custody is, or in the case of the foster home, if that's where the child goes, or in the