

SENATOR LINDSAY: Thank you, Madam President, members. The...this actually kind of strikes, I guess, at the heart of the bill and of the committee amendments. This is the policy decision, I think, that the body is intending to or needs to make on the entire bill. I think this is the question, that is the bill itself seeks to increase or to mandate certain amounts of contact with the...between the juvenile and also the consultation with the professionals. The committee amendments tried to clear that up a little bit and provide, for example, and the reason I believe, if I remember correctly from the committee meeting, the term consultation was used to be flexible enough to deal, for example, with an out of state juvenile so that we weren't required to have...telephone visitation could take place in that sort of an instance. The amendment to the committee amendment does require personal visit during that period of time, and that is the policy decision that this body has to make. And it's a question of how much, I believe, how much discretion you leave with the guardian ad litem to make those kinds of determinations. It would be my guess, although I could be as off base as anything, but it would be my guess that in most cases you have quite a bit more contact than is contemplated by the statute. I would hate to see if that personal visitation requirement is fulfilled when you go to court and you happen to run into the juvenile there and you say, well, I fulfilled this particular obligation, rather than trying...by putting specific obligations and requirements on a guardian ad litem rather than allowing a guardian ad litem to use his or her discretion to familiarize himself or herself with the juvenile, to have them go through...get to the point where they have to go through a checklist to determine whether they fulfill the statutory requirements. And it is the kind of thing, if you have, I think juvenile cases have to be reviewed on a six month basis, as they are ongoing. And I would hate to see the guardian ad litem thinking in terms of fulfilling some statutory obligation rather than actually taking the steps to do what is intended by that personal visitation. So I think that's the thing that the body has to deal with is exactly how much we do want to mandate, and whether we want to turn being a guardian ad litem away from the concept of going in, learning about the kid and advocating for the kid into a system where they carry on the front of their file their checklist of the things they have to check off, and then end up...we can convert it to the point where they're going through the motions instead of really getting to know the child. So I have mixed emotions on the amendment to the amendment. I'll, I guess, continue to listen