

statute, this is not before us today, but it lays out the powers of the guardian ad litem. And the guardian ad litem, you have to remember, doesn't have to be a lawyer, it can be a nonlawyer. The courts are empowered to appoint nonlawyers, if they so choose. So, remember that. And then look at (e), which says the guardian ad litem may present evidence and witnesses and cross-examine witnesses in all evidentiary hearings. So that, to me, is saying a nonlawyer can do those things. Now if there's any purpose at all to law school, I think it has to do with evidence and evidentiary hearings and proceedings and knowing how those work, and knowing what all the traps are, and knowing the business of lawyering. And I don't know what the court would say. Maybe I'd ask you, Senator Lindsay, what would the court say if a nonlawyer stepped up to the witness stand and said, your honor, I'm going to cross-examine these people in this evidentiary hearing, at which time the rights of this juvenile will be seriously affected.

PRESIDENT ROBAK: Senator Lindsay.

SENATOR LINDSAY: Thank you, Madam President. Senator Beutler, I...it's probably occurred, and I don't know what that response would be. I think the court has the inherent power to determine who practices before the court, who is allowed to act as an attorney within a court. But I think you've raised the question of whether we are mandating, or I shouldn't say mandating, but permitting nonlawyers to present evidence, which may or may not be good policy, but it is something that certainly ought to be considered.

SENATOR BEUTLER: So, what he's telling you is if the court has the actual power, then what's it doing here in the statute? The statute can't dictate that a nonlawyer can do this, and yet it's in the statute. That's really all I wanted to say at this point in time. Just another illustration of a serious dividing line that I think you have to think about, and whether you want to go down one avenue or whether you want to go down the other avenue of trying to make these guardian ad litem more and more like parents and trying to dictate to them exactly what their contacts are going to be in order to act more like parents.

PRESIDENT ROBAK: Thank you, Senator Beutler. The Chair recognizes Senator Matzke.

SENATOR MATZKE: Madam President and members of the Legislature,