

most likely there will be very few cases in which it will be used. And we have also changed that and adopted it a great deal so that the name of the biological mother now is not included. Also it eliminates the place of conception and in that area we have listed the city and the state so that it's not quite as detailed in that particular instance. Also Section 2, the affidavit which Senator Hall was visiting about, he had a question about if the mother was not a minor and the section actually reads if everyone would sign the affidavit, only if the expectant mother was a minor and for some reason she could not, then the attorney would assist her and then that attorney would also be under oath in taking that information. So I think that we have made some excellent changes and I certainly support the amendment as it is. Thank you.

SENATOR CROSBY: Thank you, Senator Stuhr. Senator Bromm, on the Matzke amendment.

SENATOR BROMM: Thank you, Madam President. I wanted to respond or clear up, I think Senator Hall had a very important question about what would be a minor under this act and Section 43-2101 of the statutes declares that all persons under 19 are declared to be minors unless they are married. If they are married under 19, their minority ends. So it's basically under 19 or married would be considered... under 19 and not married would be a minor. That's the definition under the statutes that I am under the impression would be applicable and that I think we're working with under the amendment 1371. I wanted to take just a moment to speak a little bit further about a couple sections in the amendment. I think that it's important to stress that the appointment of a guardian ad litem under this act is only to be considered as a last resort and that's only after the court has found that the attorney or the agency has not done what we call due diligence in trying to locate the father and notify him and if the court does find that, the amendment says that the court shall order the agency or the attorney to do due diligence in an effort to carry out that responsibility. Now then and as far as I'm concerned and only then, should the court then appoint a guardian ad litem if the attorney or agency is unable to carry out due diligence. Now that's not to say that someone can't come in and ask for a guardian ad litem and the court may or may not grant that request but the amendment makes it clear, I believe, that the appointment of a guardian ad litem is not to be a willy-nilly frequent happening without a lot of consideration for a couple of reasons. That could slow the