

which could be an attorney for any party, the court or any party interested in the well-being of the child could come in and say the agency and the attorney aren't doing the job that they should be doing, we need a guardian ad litem appointed. This will involve some additional expense, but that becomes part of the court costs and it's much better to spend a little money at that stage to make sure that the proceedings is done properly and that due diligence is used and that the proper notice is given than it is go to all the way through and have an adoption that is not final and is not valid. I think the language should remain the way it is. I admit that it's broad. It probably doesn't even have to be in there because the court could do it any time it is brought to the attention of the court that there is a question as to whether the attorney is doing an adequate job or not the court can appoint a guardian ad litem. But I think it's valuable to have it in the language of the bill so that people know that they have the right to go in and talk to the judge and say, look, something isn't being done properly...

SPEAKER WITHEM: One minute.

SENATOR MATZKE: ...due diligence isn't being used, I want to have the court appoint a guardian ad litem to make an independent evaluation of whether the proper search has been made for the biological father and the proper notice given. So I would like to retain the language that is now in this section and I would urge the body to disapprove of this amendment offered by Senator Hall, even though he has zeroed in on a very sensitive and interesting question.

PRESIDENT ROBAK: Thank you, Senator Matzke. Again, your light is on. Do you have anything further to say? Senator Hall.

SENATOR HALL: Thank you, Mr. President, members. Senator Matzke, could we just have a little bit of a dialogue here. Is there a way to narrow the scope of the language so that you have the ability to retain the language that says that there may be a petition or an application to the court for a guardian ad litem if the attorney or agency fails to exercise due diligence in complying with Sections 1 through 9 and not have the language that says that it is available to any interested party?

SENATOR MATZKE: Well, I think there's two responses to that. First of all the word "interested" itself is limited, it's limiting. In other words you can't just walk in off the street