

Senator Hall's amendment would strike Sections 11, 12, 13, 14, 15, 17, 18, and 19 out of this bill. Now, that's probably the heart of it and Senator Hall is quite forthright in saying that those sections involve the matter of the guardian ad litem. Now I disagree with him when he says that the appointment of a guardian ad litem is mandatory. This bill does not require the appointment of a guardian ad litem except under certain conditions where the court finds that the parties haven't done the job they're supposed to do. A guardian ad litem is not mandatory under LB 712. If the court decides that due diligence hasn't been used then the court will appoint a guardian ad litem, but a court always has, in any event, the power to appoint a guardian ad litem. Now guardian ad litem is just an attorney to represent somebody's interests who may be affected by the court proceedings so the part that he... is sought to be stricken by Senator Hall's amendment really does not change, for all practical effect, what courts will do, but the bill sets forth a road map. It tells what a guardian ad litem has to do. It focuses the guardian ad litem on finding the identity of the biological father so that notice can be given. That's one of the problems with our present law. We have a complete absence of...of procedural matters set forth, so courts and lawyers don't know what to do under our present law. (LB) 712 sets forth a procedural road map. Again, I... I dissent from Senator Hall's statement that a guardian ad litem is mandatory under this bill. That is not true except...

**SPEAKER WITHEM:** One minute.

**SENATOR MATZKE:** ...in cases where there has been a lack of due diligence. I commend Senator Hall for admitting that his bill or his amendment would simply gut the bill and I would ask the members of the Legislature to vote down this amendment.

**SPEAKER WITHEM:** Thanks, Senator Matzke. Senator Witek, followed by Senators Hall, Stuhr and Wesely.

**SENATOR WITEK:** Mr. Speaker, members of the body, I...I know Senator Hall described this as gutting the bill and Senator Matzke concurred, but I don't agree that it guts the bill. I think it takes a different approach to this same subject and, although it incorporates some of the same ideas that are in Senator Matzke's bill, it takes a different approach. It strengthens the registry. It does disregard some of the language from Senator Matzke's bill that has to do with the