

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE  
Transcriber's Office

March 29, 2000 LB 1167

Suttle, the other option we could have is to put in a phrase that they shall not be a guardian ad litem and I don't...we've not done that. We've just stricken, and I don't know if we need to give other guidance, but that is the purpose for the amendment, so when someone reads that, they're not going to read the legislative history, they're going to read that they're just allowed to be a friend of the court. That is my intention of...that the CASA would be a friend of a court. I believe that's the way that they're acting. I think that's an appropriate use of those people. I don't believe it's appropriate for them to be guardian ad litem and I don't think it's appropriate for county boards in the name of saving money to appoint volunteers or lay guardian ad litem so the county board won't complain to the county judges, and that is being done. I don't think that's correct and I don't think that does a service to those children at all. Well, that's the purpose for the amendment. I don't know if there's others who want to contribute but, Senator Suttle, since you were the primary sponsor of the amendment, is that your basic understanding of...of the purpose of my amendment and your consent to that?

SENATOR CUDABACK: Senator Suttle, did you want to respond?

SENATOR SUTTLE: Yes, it is. I have heard, though, that in Juvenile Code it is permissible for a judge to appoint a lay guardian ad litem so I want to, between now and Select File, I would like to research that a little bit and, as my understanding is, that in the Juvenile Code that is okay and I would rather have a CASA as a co-guardian ad litem than I would any Tom, Dick or Harry off the street be a guardian ad litem.

SPEAKER KRISTENSEN: At a risk of offending the people named Richard and Harry and Thomas, I understand what you're saying. I think that's a fair representation. I don't think that...that there's authority to appoint them. If we conclude that there may be, that's something we ought to fix. With that, I'd be happy to answer any questions. Thank you, Mr. President.

SENATOR CUDABACK: Thank you, Senator Kristensen. You've heard the opening on the Kristensen amendment, FA360. Open for discussion, Senator Wickersham.