

whatever time is necessary to try to push it through so I, even though I generally am alone and then sometimes people will listen and support will gather, I've got to fight this. What Senator Hoagland is offering is something designed to make the whole idea more palatable, but when you look at all of these types of propositions and it's similar to that grandparents thing where they want to intrude through the courts assistance into a bad domestic situation. We're making the child another...we're creating another tug of war situation in a bad relationship between two adults. As has often been stated on these types of propositions, if the wife and the husband, who are about to break that relationship and be married no more, could agree so completely on a matter such as using the child in this fashion, the divorce probably never would have had to occur. So I doubt that this would be in the best interest of the child, but that's my opinion. My opinion determines what I do as a legislator though and I don't think this is a wise policy for the state to pursue. If we have a set of circumstances where there is what is called joint custody we know that new problems arise, but before going into that I want to ask Senator Hannibal a question for clarification because it is his amendment. Senator Hannibal, is it your understanding from that Trimble case that the Supreme Court said that it would never grant joint custody or that it would be considered only in the rarest of cases?

SENATOR HANNIBAL: Senator Chambers, the former alternative is not correct. The latter is correct. It will only be...they suggest that it should be used only in the rarest of occasions, but they do not prohibit nor do I think they could by a decision, but they are suggesting, encouraging that it would only be used in the rarest of occasions.

SENATOR CHAMBERS: But it can be used even now without this amendment, can't it, if the court determines in those very rare cases that it's appropriate?

SENATOR HANNIBAL: Yes, that is correct.

SENATOR CHAMBERS: Thank you. Members of the Legislature, when we have a set of circumstances where a divorce is occurring and children are involved, the court has indicated in the very decision that Senator Hoagland and Senator Hannibal are saying made this amendment desirable. In that very decision the court indicated that joint custody may be