

form is going to take priority over substance. Let me ask Senator Hannibal a question. Senator Hannibal, where in that opinion that you read from did the Supreme Court say that the trial court will not determine custody? Did it say that?

SENATOR HANNIBAL: No, it did not say that the trial court could not determine custody.

SENATOR CHAMBERS: All right, don't steal my time. Did the Supreme Court say that joint custody cannot be granted?

SENATOR HANNIBAL: The Supreme Court did not say it could not be granted.

SENATOR CHAMBERS: Thank you.

SENATOR HANNIBAL: Sorry if that's a double negative.

SENATOR CHAMBERS: No, no, but you answered the question and people understand. The law was not changed by that Supreme Court decision. The trial court still has the same authority that it had prior to that to determine custody. The trial court can still entertain a request for joint custody and go through all of the steps necessary to make a determination. Let me tell you the irony of Senator Hannibal's situation. He wants to create joint custody, but how did the issue arise, Senator Miller, and by the way I read that she used to be a Sunday School teacher and so did I and see what you can turn into. How did this issue arise because Mr. Trimble was suing Mrs. Trimble to compel her to give him equal custody to the child and is that a harmonious relationship where you ask the judicial system to come in and compel this woman to let me have equal rights to make these decisions and I want it back by a court order telling her I have as much right to do this as she does? They're at each others throats right now and that is how the Trimble case came about. But for joint custody there must be harmony. The very case that Senator Hannibal is using showed that in most instances you're not going to have that kind of harmony. The court did not say for lawyers not to seek joint custody agreements. It's not up to the lawyers anyway, it's up to the parents and one of the reasons Senator Hoagland offered some of the amendments he did was they are lawyer amendments and he acknowledges that a lot of times when he tries to amend these bills. But let's say you