

mandate a Parenting Act before we have the children instead of after you've filed the divorce action because it makes a whole lot more sense to do that, but that's not the case and will never be and I'm not sure I want government telling us how to do those sorts of things either. The amendment that Senator Landis and I have filed here on making this a voluntary thing I think is extremely important for this reason. Most people who come in for a divorce come in and talk to me and they say, what do I need to do? And they may, well, I have evenly split, I don't represent any one side more than the other and have a fairly good mix of those, and generally you lay out the waiting periods, you lay out what you've got to file for information, and I think that you will find that the resentment to the legal system is why do we have to do this, why do we have to do that? Why do I have to file this property statement? Why do I have to go to a temporary hearing? Why do I have to do this, why do I have to do that, and the response that I have is, well, one, it's in the statutes and it's in our rules and regulations and this is designed to be fair. Quite frankly, if you place in their mandatory mediation, you will be faced with looking them in the eye and say, you've got to go to mediation, and your client will say to you, look, the reason we're getting a divorce is because we can't get along. If we could get along we would not get divorced. Most of them have the best interests of the children at heart but that gets blurred because there are other issues. There are issues of property division, there are issues of maybe abuse, there are all sorts of other issues that are out there. But what is mandatory mediation? In 728 as it's written, it's one visit. Now, are people going to do that? Well, if you have to do that in order to get through the system, you're going to go your one time. It's not going to make a difference. I submit to you it's not going to be cheaper, it's going to be more expensive in the long run and what is going to occur is they'll go to their one mediation session and it will last about 15 minutes to a half an hour and they're going to go home and go on their merry ways and the divorce action will continue. Senator Landis had, with LB 90, a good scheme. If you want to avoid the courts and the courts should be avoided, they're full, they're backlogged. What's frustrating to me is when I want to get an issue into the court is that I have a lot of these issues already there and I can't get good access to the court. Many of them are modifications of decrees and many of them are dissolution actions as well. That doesn't mean we ought to throw them out of the system, it just means that the system is full of those sorts of things. I would suggest that