

1999 HOUSE HUMAN SERVICES
HCR 3005

1999 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HCR 3005

House Human Services Committee

Conference Committee

Hearing Date 01-13-99

Tape Number	Side A	Side B	Meter #
1	x		0.8
1		x	4.8
Committee Clerk Signature <i>Ammon Q. Davis</i>			

Minutes:

SUMMARY OF THE BILL: Relating to concurrent resolution directing the legislative council to study the feasibility and desirability of facilitating pro se representation in domestic relations matters.

Representative Glassheim, Chairman of Interim Child care Committee, are in support of the bill which will address child care provisions. They addressed areas for child care payments in a fair manner to all. The pro se requirements are used by some other states. Future recommendations may be coming.

Ms. Jennifer Clark, Legislative Council, is neutral on the bill, she was committee council on the Interim Child care Committee. The study resolution encourages pro se representation in child care functions. Some other states that adopted pro se provisions encourage parents to come in

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House Human Services Committee

Bill/Resolution Number Hcr 3005

Hearing Date 01-13-99

and represent themselves in domestic matters. The committee also received testimony on resources that will be used by courts to encourage representation.

There was no opposition to the bill HCR 3005.

Chairwoman Price closed the hearing on HCR 3005 at 10:15

Motion by Representative Weisz to Do Pass, Second by Representative Porter,

By voice vote, 15 yes, 0 no, motion carried.

Representative Devlin will carry the bill.

Date:
Roll Call Vote #:

1999 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HCR 3005

House Human Services Committee

Subcommittee on _____
or

Conference Committee

Legislative Council Amendment Number _____

Action Taken De Pass

Motion Made By Weisz Seconded By Ponten

Representatives	Yes	No	Representatives	Yes	No
Clara Sue Price - Chairwoman	Y		Bruce A. Eckre	X	
Robin Weisz - Vice Chair man			Ralph Metcalf		
William R. Devlin			Carol A. Niemeier		
Pat Galvin			Wanda Rose		
Dale L. Henegar			Sally M. Sandvig	X	
Roxanne Jensen					
Amy N. Kliniske					
Chet Pollert					
Todd Porter					
Blair Thoreson	X				

Total (Yes) 15 No 0

Absent 0

Floor Assignment Devlin

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE (410)
January 21, 1999 8:58 a.m.

Module No: HR-07-0821
Carrier: Devlin
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HCR 3005: Human Services Committee (Rep. Price, Chairman) recommends **DO PASS**
and **BE PLACED ON THE CONSENT CALENDAR** (14 YEAS, 0 NAYS, 1 ABSENT
AND NOT VOTING). HCR 3005 was placed on the Tenth order on the calendar.

1999 SENATE HUMAN SERVICES

HCR 3005

1999 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HCR3005

Senate Human Services Committee

Conference Committee

Hearing Date MARCH 16, 1999

Tape Number	Side A	Side B	Meter #
1	X		775
Committee Clerk Signature <i>Barclay Kaldeyichuk</i>			

Minutes:

The hearing was opened on HCR3005.

DAN BIESHEUER, R-KIDS in Bismarck, supports the bill. This bill allows individuals to defend themselves if they cannot afford an attorney. There are some people that are not qualified.

The hearing was closed on HCR3005.

SENATOR DEMERS moved amendment on page 1, line 8, delete most and insert many.

SENATOR KILZER seconded it. Roll call vote carried 6-0-0. SENATOR LEE moved a DO PASS AS AMENDED. SENATOR KILZER seconded it. Discussion on the bill called JENNIFER CLARK, Legislative Council, to answer questions. Is our system set up to accept someone (pro se) to come into the court room and defend themselves or do we push towards attorneys. There are forms to educate helping them understand when it may be appropriate to

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Senate Human Services Committee

Bill/Resolution Number HCR3005

Hearing Date MARCH 16, 1999

have an attorney. SENATOR KILZER asked if there was much effect on the Adoptions and Safe Family Act. MS. CLARK answered that she was not familiar with that law and deferred the questions to SANDY TABOR. The court is concerned that they will need to employ more attorneys on the equivalent of indigent defense, which is a different issue than pro se; Pro se being where the individual comes in and tries to protect his interests without the help of council, in that particular situation where you are looking at the termination of parental rights, the court is very concerned about the individuals coming in and trying to protect themselves without the help of counsel. At the minimum I know they would never suggest that the child would ever coming with a pro se, without some type of counsel to protect the child's interest. I don't think the court's concern is in pro se, but how they are going to pay for the counsel that is going to be required.

Roll call vote carried 6-0-0. SENATOR LEE will carry.

Date: 3/16/99
Roll Call Vote #: 1

1999 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 3005

Senate HUMAN SERVICES COMMITTEE Committee

- Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken Amendment

Motion Made By Sen De Mas Seconded By Sen Kilzer

Senators	Yes	No	Senators	Yes	No
Senator Thane	✓				
Senator Kilzer	✓				
Senator Fischer	✓				
Senator Lee	✓				
Senator DeMers	✓				
Senator Mutzenberger	✓				

Total 6 (yes) 0 (no)

Absent 0

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

page 1 Line 8 delete "most" & insert "many"

Date: 3/16/99
Roll Call Vote #: 2

1999 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HCR 3005

Senate HUMAN SERVICES COMMITTEE Committee

- Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass as Amended

Motion Made By Sen Lee Seconded By Sen Kilzer

Senators	Yes	No	Senators	Yes	No
Senator Thane	✓				
Senator Kilzer	✓				
Senator Fischer	✓				
Senator Lee	✓				
Senator DeMers	✓				
Senator Mutzenberger	✓				

Total 6 (yes) 0 (no)

Absent 0

Floor Assignment Sen Lee

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE (410)
March 17, 1999 1:11 p.m.

Module No: SR-48-4989
Carrier: Lee
Insert LC: 93017.0101 Title: .0200

REPORT OF STANDING COMMITTEE

HCR 3005: Human Services Committee (Sen. Thane, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3005 was placed on the Sixth order on the calendar.

Page 1, line 9, replace "most" with "many"

Renumber accordingly