

MINUTES OF THE SENATE JUDICIARY COMMITTEE.

The meeting was called to order by Chairperson Senator Vratil at 9:38 a.m. on January 16, 2002 in Room 120-S of the Capitol.

All members were present except: Senator Haley (excused)

Committee staff present:

Gordon Self, Revisor
Mike Heim, Research
Jerry Donaldson, Research
Mary Blair, Secretary

Conferees appearing before the committee:

Professor Chris Drahozal, School of Law, K.U.
Randy Hearrell, Kansas Judicial Council

Others attending: see attached list

The minutes of the January 15, 2002 meeting were approved on a motion by Senator Adkins, seconded by Senator O'Connor, Carried.

Conferee Drahozal presented background information on the original Uniform Arbitration Act (UAA) which was enacted in 1973 to ensure enforceability of arbitration agreements. He discussed the provisions and scope of the Revised Uniform Arbitration Act (RUAA) which was promulgated by the National Conference of Commissioners on Uniform State Laws in 2000 and was designed to modernize the original UAA, codify case law in the states since the enactment of the UAA, and to resolve ambiguities and fill gaps in the UAA. The conferee made reference to a copy of the original UAA as well as a copy of a sample feature article entitled, "Why States Should Not Tamper with the Revised Uniform Arbitration Act" which he provided with his written testimony. (attachment 1) Discussion followed.

Conferee Hearrell presented two bill requests. The first amends current probate code law by allowing a non-resident to be appointed as an administrator of an estate providing the administrator has appointed, in writing, an agent residing in the county where the appointment is made and the agent provides written acceptance of such appointment. The second amends current law regarding a child who has been appointed a guardian *ad litem*. Because of the potential for a conflict of interest, this bill authorizes the appointment of an attorney for the child. (attachment 2) Following discussion on both bills, Senator Donovan moved to introduce the first bill, Senator Oleen seconded. Carried. Senator Adkins moved to introduce the second bill, Senator Schmidt seconded. Carried.

Staff research person, Mike Heim, identified handouts he provided to Committee: a summary of several bills from the 2001 session (attachment 3) and the Report of the Special Committee on Judiciary to the 2002 Kansas Legislature (attachment 4). He briefly summarized 2001 holdover Senate Judiciary Committee Bills. (attachment 5)

The meeting adjourned at 10:30 a.m. The next scheduled meeting is January 22, 2002.