

**ADOPTED**

Senator Cowsert of the 46th offered the following amendment:

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2 *Amend HB 958 by striking line 13 of page 1 and inserting in lieu thereof the following:*3 after a nonappearance of a party for trial; provided, however, that with regard to a default4 judgement or dismissal for want of prosecution after a nonappearance of a party for trial,5 in the court's discretion, if a party can show oversight, inadvertence, excusable neglect,6 that a party voluntarily waived his or her appearance at trial and was represented by7 counsel at trial, or when justice requires, an appeal may be taken. Review, including8 review of a denial of a