

circumstances which would arise where the possibility of a life sentence, even if it is not actually imposed, should be guaranteed an appeal to the Supreme Court. The factual circumstances may not be different from those in one where life is actually imposed. We don't know how a sentencing court or judge is going to sentence. So you have to look at the potential sentence allowed under the law, in my opinion, in determining which cases will be guaranteed an appeal to the Supreme Court. I would like to see all felony cases guaranteed an appeal. Throughout the discussion of this amendment, the present bill, and the constitutional proposal that authorized its implementation through such a bill, there was talk of a backlog. The backlog of cases is not with reference to criminal matters. It is civil. What should have been attempted, if we were going to proceed in a reasonable, logical fashion, would be to allow the appellate court, if you were going to have one, to deal with civil cases. At some point, this bill is going to be enacted. You are going to have an appellate court. It is going to considerably reduce the existing backlog. Then there sits the Supreme Court, Senator Jacklyn Smith, without the backlog but the same number of judges, the same amount of money, the same amount of staff, but not the work. The bulk of the cases that now go to the Supreme Court will not go to the Supreme Court. The Supreme Court has a bushel basket of cases. Senator Cudaback, it has been a long time since I did this in grade school, are there four pecks in a bushel? Who knows? Senator Hefner, are there four pecks in a bushel? Thank you, Senator Schrock knows. I suspected but I didn't know for sure. All right, the Supreme Court has a bushelful of cases. With the appellate court, three out of four pecks from that bushel are going to go to the appellate court, and you leave the Supreme Court one peck. Now, how fair and appropriate is that when the public was told that this appellate court is essential for justice? What you are doing is reducing the work load of the Supreme Court and shifting that load to another court system. It is going to cost over \$3 million to implement this court, which, to my way of thinking, a compelling case for its creation has not been made. This is a brand new structure, and it consists of more judges than the number sitting on the Supreme Court right now. Their salary will be 95 percent of what the Supreme Court judges get. So every time a bill comes in here to raise the salary of judges, not only do you have the county, the district, and these other judges, but now an appellate court consisting of nine judges whose salary, whose staff, and all these other accoutrements are going to have to be taken into