

nominees to the Nebraska Supreme Court. Now I agree with Senator Warner that under ideal circumstances it would be nice to select members of the Nebraska Supreme Court like we do members of the United States Supreme Court and that is take all of the justices from the entire state but I just don't think we can do that. I don't think it is practical. Figures that the Bar Association has indicates that at least 60% of all the lawyers in the State of Nebraska and probably substantially more than that, are located in Omaha and Lincoln and if Senator Warner's amendment were to pass, there would be no guarantees whatsoever, that all seven justices of the Nebraska Supreme Court would not come from either Omaha or Lincoln and I can understand the reluctance of rural members of this body to permit that to happen. What is particularly good about the constitutional amendment as it is drafted and the present form of 261, is it provides an appropriate balance between urban and rural representation. The way the Supreme Court districts are now set out, it is really a travesty. All of the Lincoln lawyers and half of the Omaha lawyers are lumped into one of six judicial districts. At least 50% of the lawyers in the state are lumped into one of six judicial districts. That is not fair to the residents of Lincoln and the residents of Omaha. Most important it is not fair to the people of the State of Nebraska because they are getting deprived of a large pool of talent for membership on the Nebraska Supreme Court. Again, I think that this particular amendment strikes as fair a balance as we can get between the rural interests and the urban interests and for that reason I would have to oppose Senator Warner's amendment. Now I have some statistics here that indicate exactly what the representation of attorneys throughout the state is. There is presently 3,600 active members of the Nebraska Bar Association. 1,378 come from Douglas County and 682 come from Lancaster County. So when you combine the Douglas and Lancaster County memberships you get about 2,150 out of 3,600 active attorneys in the state coming from those two counties and I think we can see that if Senator Warner's amendment is passed, probably most of the judges in the Supreme Court are going to come from those two cities. As this particular amendment is drafted now that won't happen. As this particular amendment is drafted, why the third Congressional District which has almost three-quarters of the state geographically, will be guaranteed two of the six positions of associate judges on the court. I sympathize with Senator Warner's amendment and I think from a theoretical political science point of view, it is the best system we could have but I think from a practical point of view it is not good because we will not be able to assure rural Nebraskans of representation on the Nebraska Supreme Court and for that reason it won't work. So I would ask you to oppose this amendment. Thank you, Mr. Speaker.