

If somebody pleads guilty or no contest, then there would be an appeal period and I am embarrassed to say I don't know enough about the criminal law to know what that appeal period is. Usually it is in the nature of thirty days in this kind of a situation, but once that appeal period runs, then the conviction becomes final and once it becomes final, they can be removed from office. So basically what we are talking about what happens in a short appeal period. Senator Chambers is saying remove them from office before the appeal period runs. I don't think that is fair. I don't think it is fair because there are a number of reasons for appealing, one of them, for example, is that the plea may have been coerced. Now a judge can be coerced just like anybody else can be coerced. In a tight pressure situation may make a bad decision, maybe he is not really guilty of a felony but if he decides in order to save himself embarrassment, etc., that he will plead guilty to the felony and let it go. Maybe he makes a mistake in that regard. If a plea is coerced, then he should have the right to appeal that and until the appeal is decided it seems to me that suspension without pay is sufficient, is a sufficient penalty because once the appeal is decided or once he fails to appeal, which is a mere thirty day period or so, then the conviction will become final anyway and he will be removed from office. So basically, I hope it is clear that what I am saying is that we should treat judges like anyone else. I think they should be afforded the same protections and the same security that any other defendant gets. Thank you.

PRESIDENT: The Chair recognizes Senator Hoagland.

SENATOR HOAGLAND: I have just two brief remarks to make, Mr. President, in opposition to Senator Chambers' motion. Let me say, number one, of course if a judge is legitimately convicted of a felony he is going to be removed from office. Of course that is going to happen. There is no need to put this amendment in because the normal course of the proceedings as set up in the constitutional amendment are surely going to take care of that problem. Secondly, this particular amendment to the Constitution has been very carefully worked out and very carefully drafted and for us to write amendments on the floor and stick them into this particular constitutional amendment helter skelter is going to be a serious mistake and I would urge you to vote against this amendment.

PRESIDENT: The Chair recognizes Senator Marsh.