

to put a cloak of imunity and protection around them and say whereas they can openly, notoriously and publicly proclaim on a record that anybody can gather, that you are guilty of drunkenness or whatever else it is, when the judge may be guilty of the same thing, cover it up and keep it quiet. The World Herald, blessings upon them for this particular bit of expose, pointed out that there were judges of the Omaha Municipal Court drinking during business hours. That is why I guess the expression, "sober as a judge" is said in sarcasm and that is why they need a private reprimand. The former Chief Justice of the Supreme Court brings one of the judges of the Municipal Court in Omaha before him and says, "Judge, what you have got to do now is stop this drinking while you are on duty because it looks bad." He says, "Well, your Honor, I will see what I can do about it but you know how rough the bench can be sometime." He said, "Well, good buddy, try to make it through the day and we will talk about this more over martinis after work." And that is what the judges can do. Why should it take a newspaper to police a profession whose job it is to police everybody else's conduct? I think that Senator Vickers has a very noteworthy and justifiable amendment. The lawyers brought the bill in. They know that when it comes to the floor of the Legislature it is going to be subjected to scrutiny by all of the other lawmakers on this floor, that there are people on this floor who are concerned about the image of the judiciary in the eyes of the public and I think that when a judge has done the types of things to bring his or her conduct before the scrutiny of this commission, if action is to be taken it should not be taken in secret. That is what creates the impression...

PRESIDENT: One minute, Senator Chambers.

SENATOR CHAMBERS: ...that lawyers form a closed society, that the judges are shielded. Let's not give them this secrecy. In the same way that we don't want closed criminal trials, we don't want judges to be able to be shielded from public scrutiny because every so often you are asked to vote whether you should retain them in office. How are you going to vote when you don't have all the information? If I do something on this floor and in an executive session, I can't say keep it secret. If we don't want it known we shouldn't do it. I am in favor of Senator Vickers' amendment.

PRESIDENT: The Chair recognizes Senator Murphy.

SENATOR MURPHY: Well I find myself in a strange position.