

April 12, 1989

LB 586

SENATOR CHAMBERS: That's two. And then from there you go where?

SENATOR KRISTENSEN: You go to the Supreme Court.

SENATOR CHAMBERS: That's three. Now, under this bill, if a person started in district court and appealed, and let's say that this bill is going to be utilized, what would the steps be?

SENATOR KRISTENSEN: The same, you'd go from district court to the Supreme Court.

SENATOR CHAMBERS: No, not under this bill. If you had this bill... Okay, well where does the appellate division come in?

SENATOR KRISTENSEN: The appellate division comes in once you get to the Supreme Court. You don't have two extra... or you don't have an extra layer of argument or case filing.

SENATOR CHAMBERS: Okay, but here's what I want to know. You go to district court first then, if this bill were in place and it's to be used, that would come in after you've been to district court for the trial.

SENATOR KRISTENSEN: Yes.

SENATOR CHAMBERS: And this panel ostensibly takes the place of the Supreme Court reviewing the case.

SENATOR KRISTENSEN: It takes the place of the Supreme Court hearing the arguments, reading the briefs. What this court basically would do would be to look at error courts, mistakes made at the lower end, like...

SENATOR CHAMBERS: Okay, now let's go before my time runs out. After this appellate division panel looks at what is appealed from the district court, they then make a recommendation to the Supreme Court. Is that true?

SENATOR KRISTENSEN: Yes.

SENATOR CHAMBERS: Under the current state of the law, without this bill, is there any intermediary between district court and the Supreme Court which make a recommendation to the Supreme Court which it may or may not accept?