

SENATOR CHAMBERS: Not in all cases.

SENATOR KRISTENSEN: Not in all cases.

SENATOR CHAMBERS: And they're getting rid of that.

SENATOR KRISTENSEN: Yes.

SENATOR CHAMBERS: Thank you, Senator Kristensen. It's difficult for Senator Kristensen to answer the question, so I'm going to make assertions and then he can challenge them, if he chooses to, and it will be a matter of record. What happens, and we'll forget about the county court level so we can eliminate that one step, you appeal from district court to the Supreme Court. Instead of the Supreme Court hearing the case itself, it will assign it to these individuals who are placed on this panel. They will make the review that currently the Supreme Court makes. They will then make a written recommendation to the Supreme Court, and that is not the way it goes now. The district court does not make a recommendation to the Supreme Court. The district court makes a decision and that decision is appealed. In this case the appellate group will make a recommendation to the Supreme Court and the Supreme Court may, but it doesn't have to, adopt the finding of the...the recommendation of this appellate division as its position. So that is a new step, because what the appellate panel decides is not automatically the end of the case. The Supreme Court still undertakes a review. So if they're going to review the recommendations, the files and the records produced by the appellate division, that is in addition to what has been done when the district court decision was reviewed. When the district court currently makes a decision, and you appeal it, the Supreme Court reviews the record of that case, they don't hear it...take new evidence and hear the case over again. There conceivably could be more paperwork generated for the Supreme Court's decision by looking at what this appellate panel did than there would have been in the district court case. This is not going to save time, it's not going to reduce work, it's going to generate and can additional delays because there is another level of straining that must occur before the Supreme Court looks at the case.

SPEAKER BARRETT: One minute.