

Court to decide it is just too long a time, and the reason for that delay is because of the number of backlog. There are so many cases now being appealed to the Nebraska Supreme Court that the court cannot keep up with the work load. As a result, this is kind of an interesting proposal. The committee amendments allow you to get at least one appeal. If a State District Court judge decides against you in a case, you've got a right of appeal to an intermediate court. You get a right of a second review, just as you do in the federal court system. You can appeal to the court of appeals in the 8th Circuit, but that does not mean that you necessarily would have a right of appeal to the Nebraska Supreme Court. There are a lot of cases, as Senator Chambers said, that are routine cases that get to the Nebraska Supreme Court, but once the Nebraska Supreme Court accepts an appeal in a case like that, even though it may be a routine case, they still have to go through a thorough analysis of the record, a thorough analysis of all the testimony, all the exhibits, a thorough analysis of all the legal issues raised. It is not like that once the Nebraska Supreme Court receives a case that they can rubber-stamp the opinion of the State District Court because they want to do a thorough review of each case, and I think they should be doing a thorough review. If your case is accepted for appeal before the Nebraska Supreme Court, you should expect a thorough review of that case.

SPEAKER BARRETT: One minute.

SENATOR McFARLAND: This alternative that is being proposed in the committee amendments that would establish an intermediate court are acceptable and I think a wise resolution to the current problem. We have more and more cases being litigated in our court system, and perhaps in an earlier date when we didn't have as many cases being decided in our state court system, maybe it was efficient and maybe it was reasonable to have a right to appeal to the Nebraska Supreme Court, but because of the time element and the number of...the great increase in the number of cases being appealed to that court, there has to be some kind of mechanism to reduce that caseload so that you do not have the backlog of cases in the Nebraska Supreme Court, so they are able to focus on the cases that are...

SPEAKER BARRETT: Time.

SENATOR McFARLAND: ...where a controversy may exist and decide important legal issues. Thank you.