

bill's being drafted and submitted was to show what form the court would take, is that true?

SENATOR KRISTENSEN: That, and to encourage some public input as to how that could be changed, knowing we have a short session, and that at this point, it is just starting its trek down the legislative path, yes.

SENATOR CHAMBERS: Would that bill create a nine-person court?

SENATOR KRISTENSEN: Yes.

SENATOR CHAMBERS: Could that nine-person court be divi...or would it be divisible into three separate divisions or sections?

SENATOR KRISTENSEN: As it is drafted now, it would be in three divisions.

SENATOR CHAMBERS: And if a person were to appeal, a person would appeal to one of those three-judge sections or divisions if this constitutional amendment were, in fact, put in place and that bill were to pass, is that true?

SENATOR KRISTENSEN: Yes, I mean it would be appealed, depending upon what type of case it is, it would be appealed either to the appellate court or the Supreme Court.

SENATOR CHAMBERS: But even if it were to get to the Supreme Court, say that it is a capital case or a constitutional issue, it would have to go through the appellate court first, isn't that correct?

SENATOR KRISTENSEN: No, that is not correct.

SENATOR CHAMBERS: Okay, so how would that situation work then?

SENATOR KRISTENSEN: That by the nature of the case would be jurisdictionally directly to the Nebraska Supreme Court.

SENATOR CHAMBERS: So then as soon as there was a decision in the district court on a constitutional issue or a capital case, it would bypass the appellate court and go directly to the Supreme Court?

SENATOR KRISTENSEN: Providing the parties filed it there, yes.