

look to be any change in that in even the far future. I would hope that you would vote down Lindsay's amendment and indeed approve the constitutional amendment, LR 8, which is simply going to allow this in our Constitution, will come back to us to do the details, to put in the fine points that we are concerned about. But the basic decision is the appellate court has been tried and proven in all of these states and indeed the other provisions have been tried and rejected after trial and gone to the intermediate appellate court. So I would urge your support of LR 8CA as the Judiciary Committee passed it out. Thank you.

SPEAKER BARRETT: Thank you. Senator Lindsay.

SENATOR LINDSAY: Thank you, Mr. President. Before I decided to go to law school, I was trying to figure out what I could do because I had a history major and what good is a history major in today's society? I learned now what it is, it is to correct Senator Moore on his recollection of history. What is applicable in 1875 is not necessarily applicable in 1990. Sure, we've got to learn from history but history is not always what happened in The Plains States, an era of manifest destiny. What is applicable is what is going to be most efficient, what is going to be most just in 1990 and into the years of the next century. We have precedent for this type of a bill. Part of that precedent is in existence right now and it is in existence right now in the State of Nebraska. The Federal 8th Circuit Court of Appeals uses the approach set forth in LR 10, or excuse me, in the amendment to LR 8. It uses the panel approach, it uses the...allowing the court to sit en banc in certain cases, to allow the court to sit together in order to correct problems between divisions. Let's go a little bit further into whether this is that much worse than an intermediate court of appeals. What Senator Moore and Senator Abboud have suggested is that the approach is to have an intermediate court of appeals and add not two judges, but add at least six judges, maybe nine judges. The State of Nebraska has a million and a half people. Can we afford to have that much money going to a judiciary that is just going to extend the time it takes for people to get a final decision on their case? The Appropriations Committee is going to hear about this if this amendment passes. The Appropriations Committee will hear about this next year because, as I mentioned in my opening, we're talking about a minimum of a million, one, and that is just...that is the fiscal note from LB 583 I believe last session that sought to create a six-judge intermediate court of appeals. If we expect to handle the work load, which