

Senator Moore and Senator Abboud have said that it cannot be done by adding two judges, what we're suggesting is that the intermediate court of appeals with six judges handle the work that seven judges are handling now. I suggest it is not going to work. We're going to have to add more judges. We're going to have to add maybe nine, maybe 12, the list can go on and on and those have to be paid for. We do have to balance the cost to the state of creating that additional layer of appeal. Let's move on and talk to what other effect that additional layer of appeal will have. You appeal to the intermediate court of appeals, and depending on how many judges we have, you're still going to have to wait for all those other cases ahead of you to get decided. It still may be a year, year and a half wait, but just at a different level. You're not waiting for the Supreme Court decision, you're waiting for the intermediate court of appeals decision. When you're done with that, and you win, and you're expecting to get your judgment finally, nope, the other side is going to say, let's take this up to the Supreme Court, wants you to hang out there for another six months, year, year and a half. It's not going to quicken, it's not going to cut down the amount of time it takes to get a final decision, it's going to extend it. We're going to make people jump through an additional hoop. We're going to make them jump and get that final decision from the Supreme Court. Even if the Supreme Court says we're not going to hear that appeal, which they would have the right to do under the LR 8, it still would take...

SPEAKER BARRETT: One minute.

SENATOR LINDSAY: ...they still would have to wait for the time to hear that...the motion, the motion to hear it, the petition, it's a (inaudible) petition for certiorari. They'd still have to listen to that and decide that and decide whether or not to take the case. So even if they don't take the case, you're adding additional time onto the appeals process. I think there is a lot of other issues here. It's not just a matter of let's expand the court and that's it. What the amendment does is to expand the court and allow it to sit in division to panels that can decide a lot of these cases without the involvement of the entire court, just as is being done now in the 8th circuit, and some of the other circuits I might add. For these reasons, I would urge the continued discussion of this amendment, continued discussion of the problem and I will urge that ultimately the amendment be adopted.