

accurately stated, expedited. Those are not allowed to have the two-year wait, but you can't just say there is a criminal Supreme Court and a civil Supreme Court, it's all together.

SENATOR CHAMBERS: But at this point there is not a backlog of criminal cases as is the situation with civil cases.

SENATOR KRISTENSEN: I'm going to have to tell you there is a backlog, Senator Chambers, because it all contributes. Those numbers of criminal cases contribute to the problem of every other case. But, yes, the criminal cases are not allowed the two-year wait.

SENATOR CHAMBERS: So let me phrase the question differently. You could say that the criminal docket is more or less up to date.

SENATOR KRISTENSEN: Yes, it is current.

SENATOR CHAMBERS: Okay, and that is the point that I'm trying to make. If you adopt this amendment as I have offered it, it leaves intact the permission or the power granted to the Supreme Court to determine whether or not it will accept civil cases, and I don't know whether that is fair. But rather than mix the two items, I wanted to take one at the time. The Supreme Court has already established by its procedures that criminal cases are of a different stripe than civil cases. There should not be delay because in some instances a person is sitting in prison. In other instances, there has been a substantial amount of money put up, some of which a person can recoup if their conviction is overturned. So there is a rationale that has been accepted throughout this country that places criminal cases in a different category than civil. What this amendment would do is maintain intact that distinction. It would entitle any person convicted of a crime, whatever the crime, to an appeal to the State Supreme Court. Most of these criminal cases originate in district court, so when they get to the Supreme Court those that are reversed will tell us that the district court judges made some kind of error, either of law or whatever, to justify a reversal. Others of a minor nature originate in county court. It means that the district court rubber-stamped the county court, sent it up to the Supreme Court and the Supreme Court reversed. I want to continue granting to criminal defendants the right to appeal to the Supreme Court. I don't even want to tie in the civil side of it at this point because I have strong