

we do implement an appellate court procedure. So it may possibly be that we, as legislators, would want some input into how judges or potential judges feel about the issues of abortion and other issues. Finally, there is a practical problem. I believe, in Minnesota, the process of developing of an appellate court took, I believe, 40 years to get past the Minnesota voters. It was another layer of court. It was an expensive addition to the court system and I believe it took a significant number of years before that appellate court was, in fact, put into effect. By putting this amendment onto LR 8, by suggesting that the legislative process or the legislators would have some ability to confirm or reject a candidate for a judgeship, I think would only enhance the arguments for the passage of LR 8 by the electorate. The people of the state would have a much more direct impact in the decision-making process of...for judges. And I think that would help us in trying to pass this legislation. Senator Kristensen has talked about the Band-Aid approach that we now have. I would not like to see that Band-Aid approach continue much longer. It seems to me that it is not appropriate to have district court judges being utilized as appellate court judges. The caseload for the district court is very significant. To require those judges now to come down to Lincoln and serve as appellate courts is really...is not in the best interest of the system. So it's best that we get this thing passed. It's best that if we're going to adopt an appellate court procedure that it get passed and that it would be implemented. It seems to me if the people know that their elected representatives are going to play a role in selecting judges, that it would be an additional plus or an additional argument that could be made to this bill. In summary, I think the judicial system, the legal system in general can always be open and should always be open to the political process in the sense that we are looking to the political process or the legislative process for advice and consent. The system should not at all be afraid that the role of advice and consent is the over...politics, or putting too much politics into the decision-making process. If we were going back to the system whereby judges were elected, then certainly that would be putting politics back into the system. All we're doing is what is done presently on the federal level and that is give us, as legislators, the...really, the right and the obligation to help select the best possible judges. And, in fact, it brings the Legislature into a process which already involves the executive and already involves the Nebraska Bar Association and that would not change. It would add our body to that process. And I would