

and says to us, give us authorization for a new court, a totally new court with a totally new bureaucracy added onto it, but they're saying, we don't want you or we don't believe that...we don't trust you, in effect, to be able to decide on the merits of a particular individual for the judiciary. I think we can do that. The Senate of the United States does it and I'm certain that we can do it. We do it in the case of every agency head and commission person that comes before...or that is retained by the state or that takes an appointment with the state. So I'm certain that we can do it on the...with the judiciary. Also, we are not getting involved in the political process any more than any merit commission would be involved in it. The judges now are...or nominees are selected by a merit commission and, for Senator Pirsch's edification, there is a provision in Article V, Section 21, that deals with the merit commission. I see no reason why the merit commission would still not have a role in deciding who the best candidates would be, but, in any event, so I see that as being a consistent provision, so I don't see any reason why we can't deal with that. But, on a procedural matter, this is General File. If you like the concept, if you like the concept, if you want to play a role in not only appropriating money for the judiciary and not only adding new courts, and not only passing laws that deal with the structure of the courts, if you want a say in who the judges are going to be, like several other states have, like the Senate of the United States has, if you trust yourself to make the kind of reasoned decision that is necessary to decide who a judge should be, then I think you should vote for this amendment. We have got Select File, between now and Select File there will be a hearing on this bill. I think a vote to vote this down now is to vote against the concept, to vote against the concept of the Legislature being involved in the process. We can clean up the language. We'll go to the hearing to see what the views are at that point, but we've got a vehicle now. We've got a new court, a totally new court that is going to...that we are going to have to fund and that we are going to have to make rules for. It seems to me that there cannot be a better time. Now the Bar Association people, of which I am a member for 15 years, are going to tell you that this is a bad bill, that we shouldn't do this. They're telling us that the decisions that you...that we make are not trustworthy ones. It works for agency heads and it works for commissions but it doesn't work for judges. And I think part of the problem with the judicial system generally in the perception of the judicial system is that it's done behind closed doors. It isn't actually. I think the judicial system