

SPEAKER BARRETT: Time.

SENATOR CHAMBERS: ...and then let them try to explain how and why they did it.

SPEAKER BARRETT: Thank you. Senator Ashford.

SENATOR ASHFORD: Thank you, Mr. Speaker and members. I have always supported the concept of an appellate court or another means of trying to alleviate the problem of the overload of cases before the Supreme Court. I'm very troubled by the fact that we were...did not even come close to adopting any of the amendments which Senator Chambers had introduced, and my amendment on the Legislature being involved in the process, because what we've done here, and I think legitimately so, is we've created an appellate court that will help with the overload of cases. We could have accomplished exactly that same mission and still given or preserved some of the rights to appeal to the Supreme Court, which now exists in our Constitution. It's just beyond me that we could not try to accommodate both interests, the interest that...where there is a right that the people now have, that they feel they have, that they can have the highest court in the state hear these cases. At the same time taking a vast...the vast majority of cases that the Supreme Court hears which tend to be civil cases, divorce cases, termination of parental right cases and giving those cases to an appellate court. That would substantially decrease the caseload that the Supreme Court has. And I guess most importantly my problem is that even though the Legislature is now being vested with a significant amount of authority on how they're going to establish this court, we take away the one simple right, and that is for this legislative body to decide...have some input in who the judges will be that will make these decisions. So we, in effect, are creating a new court. The Legislature is given a great deal of authority on how this court will be structured, but we're saying but we don't want to know who the judges are. It's just inconsistency upon inconsistency. I agree with the concept. I agree with what generally is being tried to be done here. But we have thrown the baby out with the bathwater in this case. We have taken away rights we don't need to take away, and we have alleviated possibly some case load problem, but in so doing I think we've gone way beyond what we need to do. I'm going to vote not voting because I do agree with the concept. But I can't vote for this bill until we address, realistically, some of the