

SENATOR CHAMBERS: But if there are 40 percent, if we're going to use that as... Well, let me ask you this, do you think there are more criminal or civil cases in the backlog?

SENATOR KRISTENSEN: I would guess, by and large, there are mostly civil cases on the backlog.

SENATOR CHAMBERS: And of the criminal cases, which would be a smaller percentage of the total backlog, is it your impression that the greater number would be felonies or misdemeanors?

SENATOR KRISTENSEN: By and large, a great number of those would all be felonies, yes.

SENATOR CHAMBERS: Okay, so you feel that the larger percentage of the criminal cases in the backlog would be felonies.

SENATOR KRISTENSEN: Of... as long as we use the premise that the number of filings would be reflective of the number, right.

SENATOR CHAMBERS: Right.

SENATOR KRISTENSEN: Yes, that's true.

SENATOR CHAMBERS: So, if we took out the number of misdemeanor cases and lumped them with the nonfelony cases, that would increase the number in the backlog which are not in the felony percentage.

SENATOR KRISTENSEN: I'm sorry, I didn't follow you on that. Would you...

SENATOR CHAMBERS: Okay, instead of breaking the backlog down into all criminal and all noncriminal, if we broke it down into felony and nonfelony, which would include civil and every case not a felony, then a greater percentage of the backlog would be nonfelony cases.

SENATOR KRISTENSEN: Right, civil and misdemeanors then.

SENATOR CHAMBERS: Okay.

SENATOR KRISTENSEN: Yes.

SENATOR CHAMBERS: So, if an amendment had been offered to this