

welcomed. Thank you, we're pleased to have you with us. Senator Wehrbein, please.

SENATOR WEHRBEIN: Yes, Mr. President, members. Senator Chambers, you may continue a couple of minutes, if you'd like, on your comm...Otherwise I would just like to make a comment. I think I hear what you're saying, if I understand it right, though, you...if we allow felonies to continue to go to the Supreme Court, then nonfelony, or you used the wo...I'd call them civil cases, I don't know where there's a...then it would seem to me that they would end up more in the appellate court. Would I understand that correctly? If under your proposal that all felonies would go only to the Supreme Court, then actually civil cases would end up going almost exclusively to the appellate court. Would that be the way you would interpret it?

SENATOR CHAMBERS: Yes, Senator Wehrbein, and that is stated as the intent of those who are bringing this bill. But the way the bill is drafted now, all criminal and all civil cases are entitled, as a matter of right, to an appeal only to the appellate court. The only way you can get beyond the appellate court is if the Supreme Court decides that it is willing to entertain your suit. So let's say you have a distressed farmer who appeals up through the appellate court. And let's make it civil, so that we don't have to argue between misdemeanor and felony. He or she gets to the appellate court, a decision is rendered, and it's an appellate court made up of judges similar to those mentioned in a column in the Lincoln Star, Lincoln Journal last night which says, last week was a rocky one for six district judges. Stephen Davis and Keith Howard, both of Douglas County, William Riley, Hall County, Raymond Case, Otoe County, Bryce Bartu, Seward County, and Alfred Kortum, Scotts Bluff County, all were reversed in whole or partially by the Nebraska Supreme Court. Let's say you got some of these types of judges on the appellate court and they rule against your client, and your client feels that these judges are not too swift, anyway, from other decisions he or she has observed and says, well, I'm going to the Supreme Court, and finds out that there is no right to appeal to the Supreme Court. A petition can be submitted to the Supreme Court, and if they agree, then the farmer can get his or her case before the Supreme Court. If the Supreme Court says, well, this falls into that category of cases that we're going to stop at the appellate court level, it's over. Okay.