

kinds that could happen within a state. There was a court system that existed at the same time and in the same location that a state court system existed, but it offered citizens the opportunity to receive justice that it was felt by the framers of the Constitution of the United States, a type of justice they could not get in the states' courts. The whole concept of diversity of citizenship was based on that idea, that if you have to bring your case to a state and your case involves an individual in that state who is going to be favored in the courts of that state, you should have a court system where you will have a better chance to receive justice and that was one of the moving factors for having a federal court system and it is why discrimination cases are taken to federal court rather than state court. Senator McFarland is content to allow the appearance of black people, other non-white people and women on the bench. He is willing to allow that to occur with what is known in the legal profession as all deliberate speed which means it will never occur. As long as nothing is being done to change the situation, the situation is not going to change. There is no incentive on the part of these males, many of whom are incompetent and are political hacks and only for those reasons were they placed on the bench in the first place, there is no incentive for them to change a good thing. Another factor that concerns me about the way judges fail to do their job, when they're appointing counsel in cases where somebody may face the death penalty, the judges themselves should insist that the individual representing such a person who runs the risk of losing his life, his life because in Nebraska no woman has ever been sentenced to death and never will be and I'm glad of that. That is one fewer class of persons that I have to worry about, trying to rescue from the viciousness of the execution syndrome. But a person who runs the risk of losing his life, should have legal counsel that is competent and experienced. Often the person has a public defender who may mean well, but has not even had a sufficient amount of experience in handling criminal cases. It should not take legislation to set standards of qualification as such an appointed counsel should have to meet. The judges will not do it on their own. They're not responsible enough, they're not concerned enough. Judges on the U.S. Supreme Court, even some of those who have voted to uphold death sentences, have pointed out that they have reviewed numerous cases where a lawyer failed to object in a timely manner, a lawyer failed to challenge the make-up of a jury. There were people sentenced to die who should not have been sentenced to die, but they had inadequate counsel. So even in a