

people looking and not being able to solve disputes among themselves turn to the courts to have their disputes resolved. The study in 1975 said that we should have panels of three judges, so you just don't have one judge to review the decision on another individual. All you would be doing then is substituting one judgment of one judge for that of another. They suggested panels of three that could look at these cases. Since 1975, their trends were correct. The court has hit a saturation point. They hit this a couple of years ago. The courts tried a lot of ways to deal with a backlog, to deal with the increasing numbers that have come through. They have sat in division; division meaning that they split the court in half. That didn't work very well. Back around the turn of the century, the state had the same problem, and what we did is we turned to commissioners; people who went out and were fact finders. Now they worked for a number of years. Finally, in the thirties, we stopped that measure to do it. Since the 1930s, we have had a variety of other ways to deal with the backlog. But starting at about 1975 was when the problems hit. In 1975, it took about 75 or 76 days to have your case heard and decided. Today it has gone from those few days, less than three months, to now over 24-months for the average case to be heard. There was also a study done in 1989 by the National Center for State Courts, when we first started to look at this problem. They came in and did an extensive study on our appellate system, and that system has been completed. They filed a 140 page report with this body to look at the problems of the appellate system. Their conclusion was the exact same of that in 1975. Our system is under siege. It is in a crisis state. What the study in 1989 did was confirm the 1975 study. It also showed that our backlog, which was zero in 1970, today is over 600 cases. That means there are 600 cases setting there to be heard at the present time. Those 600 have already been briefed. Everybody is ready for argument. But there is nobody there to hear those cases or make those decisions. The study also made a change...a recommendation for a change in our Constitution. The Constitution would allow for this very court that I have introduced here in LB 732. It also gave us a summary of numbers and future trends for cases that will be filed in Nebraska's Supreme Court. I have handed out to you today a packet of information, and if you are sitting here through the next few minutes this morning, or when you go back to your office and you say, now, what is this court of appeals about, or when you have a constituent call, I'd refer you to this packet. The first page, basically, is a narrative summary