

consideration...

SENATOR CHAMBERS: Okay, let's go to line 4 in your amendment, "The Court of Appeals shall hear arguments at sites throughout the state by designation of the Chief Judge of the Court of Appeals." Suppose the chief judge never designates another site than Lincoln, that could be done under the way your amendment is drafted, can't it?

SENATOR WICKERSHAM: The use of the word "sites" is plural, and I suppose arguably you could have multiple sites within the City of Lincoln, but I think that would be a bit tongue-in-cheek by the court.

SENATOR CHAMBERS: But here is what I am trying to get to. Let's say that there is a series of cases and some people feel that it would be better to have those heard outside of Lincoln. What is there in this amendment that requires the chief judge to set up hearings in those specific cases outside of Lincoln? Isn't it left to the discretion of the judge as to when he, and I am not saying he or she because there is always going to be only a male chief judge, when he decides...he is in a position to make a decision as to whether or not the court will sit in Lincoln or some place else, do you agree with that?

SENATOR WICKERSHAM: Yes.

SENATOR CHAMBERS: That gives him discretion in considering various factors, would you agree?

SENATOR WICKERSHAM: That is correct.

SENATOR CHAMBERS: There is nothing in this amendment that requires him to decide, in any given case, not to have the case heard in Lincoln, is there?

SENATOR WICKERSHAM: Not in any specific case, but as he sets his calendar, if we are going to assume that it is always a he, as he sets his calendar, he will also be aware of the language in the amendment that says, shall hear arguments at sites throughout the state. So the intent is that in one or more cases that the chief judge would find adequate reason to hold hearings at some location other than in the City of Lincoln.

SENATOR CHAMBERS: But what I am trying to get at, Senator