

judges. Let me point out to you a couple of other provisions in existing law. First of all, the Supreme Court, itself, can divide into panels. So, if necessary, you could have the two appeals court panels and you could have two Supreme Court panels. You could have four different courts, basically, working on the problem. Now, in addition to that, Senator Kristensen, really, in fact, and this is...actually this is probably the provision that he's looking to protect. He's built into another part of the bill, in page 5, a provision that says this. Retired judges of the District Court, court of appeals or Supreme Court may be called on...may be called to serve on additional panels of the court of appeals. So, in other words, in this bill and another part of this bill you're already authorizing additional panels of the appeals court because they have the authority to call retired judges up, and there are plenty of those, into yet another three-member panel. So this bill is replete in terms of attempts to hand over to the judiciary further authority to them and to distance them from the Legislature. And I think that that would be very unfortunate. Let me point out to you, in addition, that case filings, in and of itself, has never been an accepted criteria, even by the judges themselves, for creating new judgeships. The formulas that they have used in the past have always been much more sophisticated than simple case filings because they understand...

SENATOR CONWAY: One minute.

SENATOR BEUTLER: ...that case filings have some relationship to the caseload but don't necessarily correspond in a very close fashion to the caseload. I just want you to think about this very seriously because this is not just a minor amendment, this is a major, major change in our relationship with the court and I hope you will think about it very carefully. Thank you.

SENATOR CONWAY: Thank you. The next speaker is Senator Haberman on the Kristensen amendment.

SENATOR HABERMAN: Mr. President and members of the body, I wonder if Senator Kristensen would yield to a question, please.

SENATOR CONWAY: Senator Kristensen.

SENATOR KRISTENSEN: Yes.