

court because they can't be filed in the Supreme Court. This is a fact, because some way we're going to try and limit, which I think we can't do, we're going to try to limit the type of cases that the Supreme Court can hear. Now I might be willing to support this amendment if it was just the Supreme Court. But we know that this appellate court's going to automatically increase any of the preceding two years. We know that, that's going to be a fact. So we're guaranteeing that we're going to have two more judges if we adopt the second half of this amendment. Therefore, I would agree with Senator Beutler that we should not adopt this amendment. Thank you, Mr. President.

SENATOR CONWAY: Thank you, Senator Haberman. Senator Lindsay, please.

SENATOR LINDSAY: Thank you, Mr. Presiding Officer. Members, I rise today...I guess I've got to say I'm a little disappointed that the question was divided because I think the amendment needs to be looked at in toto. And the reason for that is...I think we have to look at why Senator Kristensen brought the amendment in, and the reason for that was because this year we have a cash crunch, we don't have enough money out there to fund everything this year. And he came in with an amendment that said, okay, we need all of these judges now and the people have said, let's have an appellate court. They voted that in last fall. What he said was, let's just graduate them in, let's soften that blow a little bit and work them in a little bit down the line. So I think it's important that if this second half that we're voting on does not get adopted, I think the first half ought to be defeated because I, like I say, I really believe that the entire amendment should be considered. It's a little...it's certainly acceptable to divide the question but what's acceptable is not always practical. I think, in this case, that's one of those situations. I guess I have to disagree with Senator Beutler when he...when he said that there is no precedent for this type of thing, said that there is no mechanism that would increase judges in the Supreme Court or in any other court. First of all, in the Supreme Court that's understandable because it's fixed by Constitution at seven, so there can be no mechanism to change it. But if we look at the juvenile court and in Section 43-2,119, we know that there is exactly that type of mechanism. It's been done and, as a matter of fact, Lancaster County got an additional juvenile judge within the last couple of years simply because the mechanism triggered the addition of a judge with no further action on the