

transfer a district judgeship from the 21st Judicial District to the 4th Judicial District, a suit was filed with the Supreme Court asking that LB 516 be declared unconstitutional and the judgeship be returned to his original district. The amendment you have here before you today will resolve this issue. If LB 181 were to pass as currently written without my amendment, we would add two judgeships to the court system with the possibility that there would be no mechanism in place to determine where they would go. AM1242 solves this problem by eliminating the Judicial Resources Commission and going back to the system the state had used to place its district and county judges prior to 1985, which was through statute. If this amendment is adopted, future judicial vacancies would be filled in the following manner. The Clerk of the Supreme Court, under Section 24-810, would notify the Judicial Nominating Commission in that respective district and instruct them to begin the candidate selection process, and they would form a list of prospective candidates and send that list on to the Governor for the final appointment to be made. The difference between that scenario and the way the process currently operates is that there no longer would be a Judicial Resources Commission as an intermediary step between the court and the District Nomination Commission. The vacancy would remain in its current district, and it would be up to the Legislature to make any transfers of judgeships in the future. I have passed out three different handouts to illustrate what I have just said here, including a sheet showing the location of district and county judgeships by judicial districts through the different stages of development on the issue. And I think that you can all see that we are already...what we are trying to do, accomplish with this amendment is to give the 4th District in Omaha the two additional district judges they need, return the judgeship to the 21st District it needs, and to set up a system for placing our judges that we know is constitutional. And, once again, I would like to thank Senator Chizek for his help with this amendment, and if you have any questions, I would be more than happy to answer them for you. Thank you.

PRESIDENT MOUL: Thank you, Senator Robak. I will now recognize senators in the following order, Senator Abboud, Senator Chizek, and Senator Wickersham. Senator Abboud.

SENATOR ABOUD: Madam President, members of the body, this has been a rather interesting issue over the last six, seven years. We have always had this problem in Douglas County. We have not