

see which judge you draw from the mix at the county courthouse. A second thing is that there is a showing or a hearing in which you provide evidence. That's a similarity. A distinction is that that hearing can be done without the rules of evidence, you don't have to be represented by a lawyer. In some cases you have a wider latitude in showing or making points in evidence than you would in a court of law. Some elements of similarity, some elements of distinction. And arbitration is basically a fact-finding, decision-making process with a judge that you've voluntarily selected and you are agreeing to abide by the rule of the judge. If something goes wrong, there is a narrow basis for appeal, arbitrator bias, undisclosed conflicts of interest and several other defenses which we wrote in our 1987 Nebraska act which would be available to people who had gone through arbitrations. But frankly one of the reasons that you want an arbitration is because it generally is the last word. The way that a court reviews an arbitration is a limited review, it's hard to overthrow the results of an arbitration and for that reason it has the tendency to be the final word. The virtues of an arbitration, it's faster usually than going to court. Secondly, it is usually cheaper, although it doesn't have to be cheaper. Third, it's confidential. It doesn't create a public record, it doesn't create scandals for the pages of the paper, it is a confidential business relationship that gets a business solution. Fourth, by picking your own judge you can see to it that you get somebody who is an expert in the field. And lastly, it's a relatively final form of justice, having achieved with the arbitrator's conclusion, hopefully a meritorious result, the use of appeals makes little sense. With respect to litigation, appeals are commonly rewarded, they're a matter of right, you can take them quite easily and they can drag on forever. Appeals are one of the reasons why people who have a lot of money and a lot of power in lawsuits feel free to play to the clock and play out the time and to bargain down the solutions. Arbitrations have a much narrower range of review and for that reason the arbiter's decision is more likely to be binding and to stick. It doesn't have to. There are certainly some exceptions, but that's the case. With these virtues of timeliness, money, confidentiality, expert decision-making and final solutions, arbitration is a valuable alternative to be able to consider. In Nebraska, under Nebraska jurisdiction, businesses cannot even consider its use, customers cannot consider its use because they're not legal. I suggest to you that first, a vote of the people on the amendment. Secondly, the actions of this body with respect to passing a law and,