

because for us in the vast majority of counties where I practice in, most of the jury trials come from, perhaps, public defenders who, you know, the cost is not a consideration because the client isn't paying the tab for the additional time. And if you have them, you are more likely to have the criminal trials from a public defender than you are from private clients because...

SENATOR LINDSAY: Probably true.

SENATOR KRISTENSEN: You know, quite frankly, with speeding and littering, the issue isn't great enough, you can't afford the cost of going to do that as an average. Do you have any idea how many jury trials we are looking at? I mean how many might that create? I know that's nebulous.

SENATOR LINDSAY: Yes, and I don't know. It would not be... I don't think you'd be looking at a large number. I mean I would think quantifying it would be nearly impossible, but if we look at what's happened, you brought up DWI, let's take Omaha's recent DWI ordinance that was passed for the sole purpose of getting around jury trials, it will not change what has been the status quo for years prior to that. It will only change what's been the change in Omaha for the past two, three, four weeks. So I, I mean, in that case, it is going to be insignificant, and if at all. It is more a protection against trying to take away jury trials from people than it is reverting backward. I don't see that there is going to be a great deal of jury trials, period.

SENATOR KRISTENSEN: And you don't argue the point that people receive less justice with a trial if the court than they do to a jury trial. I mean that's, we're not talking about the quality of justice, are we?

SENATOR LINDSAY: Well, first of all, it is not for me to say. I mean that is up to a jury to... I mean that is up to an individual who would have that right to determine where they want to have it. It's constitutional that whether it's a matter of justice or not, if you get over the six months, constitutionally whether you get better justice is completely irrelevant. It is a time-honored tradition to have your case decided by a jury of your peers, and it's... so whether you get better justice or not is irrelevant. There are those...

SENATOR KRISTENSEN: Well, I just want to make sure that's not